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THE

HISTORY

OF

ENGLAND.

VOL. VII.

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THE HISTORY OF ENGLAND,

FROM THE

INVASION OF JULIUS CÆSAR

TO

The REVOLUTION in 1688.

IN EIGHT VOLUMES.

By DAVID HUME, Esq;

VOL. VIII.

A NEW EDITION, Corrected.

LONDON:
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OF THE

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1674.

Schemes of the Cabal.

IF we conſider the projects of the famous Cabal, it will be hard to determine, whether the end, which thoſe miniſters propoſed, was more blameable and pernicious, or the means, by which they were to effect it, more impolitic and imprudent. Though they might

CHAP. LXVI. 1674.

talk only of recovering or fixing the king's authority; their intention could be no other than that of making him abſolute: Since it was not poſſible to regain or maintain, in oppoſition to the people, any of thoſe powers of the crown, aboliſhed by late law or cuſtom, without ſubduing the people, and rendering the royal prerogative entirely uncontroulable. Againſt ſuch a ſcheme, they might foreſee, that every party of the nation would declare themſelves, not only the old parliamentary faction, which, though they kept not in a body, were ſtill very numerous; but even the greateſt royaliſts, who were indeed attached to monarchy, but deſired to ſee it limited and reſtrained by law. It had appeared, that the preſent parliament, though elected during the greateſt prevalence of the royal party, was yet tenacious of popular privileges, and retained a conſiderable jealouſy of the crown, even before they had received any juſt ground of ſuſpicion. The guards, therefore, together with a ſmall army, new levied, and undiſciplined, and compoſed too of Engliſhmen, were almoſt the only domeſtic reſources, which the king could depend on in the proſecution of theſe dangerous counſels.

THE aſſiſtance of the French king was, no doubt, eſteemed by the Cabal a conſiderable ſupport in the ſchemes which they were forming; but it is not eaſily conceived, that they could imagine themſelves capable of directing and employing an aſſociate of ſo domineering a character. They ought juſtly to have ſuſpected, that it would be the ſole intention of Lewis, as it evidently was his intereſt, to raiſe incurable jealouſies between the king and his people; and that he ſaw how much a ſteddy uniform government in this iſland, whether free or abſolute, would form invincible barriers to his ambition. Should his aſſiſtance be demanded; if he ſent a ſmall ſupply, it would ſerve only to enrage the people, and render

render the breach altogether irreparable; if he furniſhed a great force, ſufficient to ſubdue the nation, there was little reaſon to truſt his generoſity, with regard to the uſe, which he would make of this advantage. CHAP. LXVI. 1674.

In all its other parts, the plan of the Cabal, it muſt be confeſſed, appears equally abſurd and incongruous. If the war with Holland were attended with great ſucceſs, and involved the ſubjection of the republic; ſuch an acceſſion of force muſt fall to Lewis, not to Charles: And what hopes afterwards of reſiſting by the greateſt unanimity ſo mighty a monarch? How dangerous, or rather how ruinous to depend upon his aſſiſtance againſt domeſtic diſcontents? If the Dutch, by their own vigour, and the aſſiſtance of allies, were able to defend themſelves, and could bring the war to an equality; the French arms would be ſo employed abroad, that no conſiderable reinforcement could thence be expected to ſecond the king's enterprizes in England. And might not the project of over-awing or ſubduing the people be eſteemed, of itſelf, ſufficiently odious, without the aggravation of ſacrificing that State, which they regarded as their beſt ally, and with which, on many accounts, they were deſirous of maintaining the greateſt concord and ſtricteſt confederacy?

Whatever views likewiſe might be entertained of promoting by theſe meaſures the catholic religion; they could tend only to render all the other ſchemes abortive, and make them fall with inevitable ruin upon the projectors. The catholic religion, indeed, where it is eſtabliſhed, is better fitted than the proteſtant for ſupporting an abſolute monarchy; but would any man have thought of it as the means of acquiring arbitrary authority in England, where it was more deteſted than even ſlavery itſelf?

CHAP. LXVI. 1674.

IT muſt be allowed, that the difficulties, and even inconſiſtencies, attending the ſchemes of the Cabal, are ſo numerous and obvious, that one feels at firſt an inclination to deny the reality of thoſe ſchemes, and to ſuppoſe them entirely the chimeras of calumny and faction. But the utter impoſſibility of accounting by any other hypotheſis for thoſe ſtrange meaſures embraced by the court, as well as for the numerous circumſtances, which accompanied them, obliges us to acknowledge (though there remains no direct evidence of it[a]) that a formal plan was

[a] Since the publication of this Hiſtory, the Author has had occaſion to ſee the moſt direct and poſitive evidence of this conſpiracy. From the humanity and candour of the principal of the Scotch College at Paris, he was admitted to peruſe James the Second's Memoirs, kept there. They amount to ſeveral volumes of ſmall folio, all writ with that prince's own hand, and comprehending the remarkable incidents of his life from his early youth till near the time of his death. His account of the French Alliance is as follows: The intention of the king and duke was chiefly to change the religion of England, which they deemed an eaſy undertaking, becauſe of the great propenſity, as they imagined, of the cavaliers and church party to popery: The project was aſſented to by the Cabal, agreeably to the narration of all the hiſtorians; and the treaty with Lewis was concluded at Verſailles in the end of 1669, or beginning of 1670, by Lord Arundel of Wardour, whom no hiſtorian mentions as having had any hand in theſe tranſactions. The purport of it was, that Lewis was to give Charles 200,000 pounds a year in quarterly payments, in order to enable him to ſettle the catholic religion in England; and he was alſo to ſupply him with an army of 6000 men in caſe of any inſurrection. When that work was finiſhed, England was to join with France in making war upon Holland: In caſe of ſucceſs, Lewis was to have the inland provinces, the prince of Orange Holland in ſovereignty, and Charles Sluice, the Brille, Walkeren, with the reſt of the ſea ports as far as Mazeland Sluice. The king's project was firſt to effectuate the change of religion in England; but the dutcheſs of Orleans, in the interview at Dover, perſuaded him to begin with the Dutch war, contrary to the remonſtrances of the duke of York, who inſiſted that Lewis, after ſerving his own purpoſes, would no longer trouble himſelf about England. The duke makes no mention of any deſign to render the king abſolute; but that was, no doubt, implied in the other project, which was to be effected entirely by royal authority. The king was ſo zealous a papiſt, that he wept for joy when he ſaw the proſpect of re-uniting his kingdom to the catholic church.

laid

laid for changing the religion, and ſubverting the conſti- CHAP. LXVI.
tution, of England, and that the king and the miniſtry
were in reality conſpirators againſt the people. What 1674.
is moſt probable in human affairs is not always true; and a very minute circumſtance, overlooked in our ſpeculations, ſerves often to explain events, which may ſeem the moſt ſurprizing and unaccountable. Though the king poſſeſſed penetration and a ſound judgment, his capacity was chiefly fitted for ſmaller matters [b], and the ordinary occurrences of life; nor had he application enough to carry his view to diſtant conſequences, or to digeſt and adjuſt any plan of political operations. As he ſcarcely ever thought twice on any one ſubject, every appearance of advantage was apt to ſeduce him; and when he found his way obſtructed by unlooked-for difficulties, he readily turned aſide into the firſt path, where he expected more to gratify the natural indolence of his diſpoſition. To this verſatility or pliancy of genius, he himſelf was inclined to truſt; and he thought, that, after trying an experiment for enlarging his authority, and altering the national religion, he could eaſily, if it failed, return into the ordinary channel of government. But the ſuſpicions of the people, though they burſt not forth at once, were by this attempt rendered altogether incurable; and the more they reflected on the circumſtances, attending it, the more reſentment and jealouſy were they apt to entertain. They obſerved, that the king never had any favourite; that he was never governed by his miniſters, ſcarcely even by his miſtreſſes; and that he himſelf was the chief ſpring of all public counſels. Whatever appearance, therefore, of a change might be pretended, they ſtill ſuſpected, that the ſame project was ſecretly in agitation; and they deemed no

[b] Duke of Buckingham's character of K. Charles II.

CHAP. LXVI. 1674.

precaution too great to ſecure them againſt the pernicious conſequences of ſuch meaſures.

THE king, ſenſible of this jealouſy, was inclined thenceforth not to truſt to his people, of whom he had even before entertained a great diffidence; and though obliged to make a ſeparate peace, he ſtill kept up connexions with the French monarch. He apologized for deſerting his ally, by repreſenting to him all the real undiſſembled difficulties, under which he laboured; and Lewis, with the greateſt complaiſance and good humour, admitted the validity of his excuſes. The duke likewiſe, conſcious that his principles and conduct had rendered him ſtill more obnoxious to the people, maintained on his own account a ſeparate correſpondence with the French court, and entered into particular connexions with Lewis, which theſe princes dignified with the name of friendſhip. The duke had only in view ſecuring his ſucceſſion, and favouring the catholics; and it muſt be acknowledged to his praiſe, that, though his ſchemes were, in ſome particulars, dangerous to the people, they gave the king no juſt ground of jealouſy. A dutiful ſubject, and an affectionate brother, he knew no other rule of conduct than obedience; and the ſame unlimited ſubmiſſion, which afterwards, when king, he exacted of his people, he was ever willing, before he aſcended the throne, to pay to his ſovereign.

As the king was at peace with all the world, and almoſt the only prince in Europe placed in that agreeable ſituation, he thought proper to offer his mediation to the contending powers, in order to compoſe their differences. France, willing to negociate under ſo favourable a mediator, readily accepted of Charles's offer; but, it was apprehended, that, for a like reaſon, the allies would be inclined to refuſe it. In order to give a ſanction to his

new

CHAP. LXVI.

1674. Remonſtrances of Sir W. Temple.

new meaſures, the king invited Temple from his retreat, and appointed him ambaſſador to the States. That wiſe miniſter, reflecting on the unhappy iſſue of his former undertakings, and the fatal turn of counſels, which had occaſioned it, reſolved, before he embarked anew, to acquaint himſelf, as far as poſſible, with the real intentions of the king, in thoſe popular meaſures, which he ſeemed again to have adopted. After blaming the dangerous ſchemes of the Cabal, which the king was deſirous to excuſe, he told his majeſty very plainly, that he would find it extremely difficult, if not abſolutely impoſſible, to introduce into England the ſame ſyſtem of government and religion, which was eſtabliſhed in France: That the univerſal bent of the nation was againſt both; and it required ages to change the genius and ſentiments of a people: That many, who were at bottom indifferent in matters of religion, would yet oppoſe all alterations on that head; becauſe they conſidered, that nothing but force of arms could ſubdue the reluctance of the people againſt popery; after which, they knew, there could be no ſecurity for civil liberty: That in France every circumſtance had long been adjuſted to that ſyſtem of government, and tended to its eſtabliſhment and ſupport: That the commonalty, being poor and diſpirited, were of no account; the nobility, engaged by the proſpect or poſſeſſion of numerous offices, civil and military, were entirely attached to the court; the eccleſiaſtics, retained by like motives, added the ſanction of religion to the principles of civil policy: That in England a great part of the landed property belonged either to the yeomanry or middling gentry; the king had few offices to beſtow; and could not himſelf even ſubſiſt, much leſs maintain an army, except by the voluntary ſupplies of his parliament: That if he had an army on foot, yet, if compoſed of Engliſhmen, they

CHAP. LXVI. 1674.

would never be prevailed on to promote ends, which the people ſo much feared and hated: That the Roman catholics in England were not the hundredth part of the nation, and in Scotland not the two hundredth; and it ſeemed againſt all common ſenſe to hope, by one part, to govern ninety-nine, who were of contrary ſentiments and diſpoſitions: And that foreign troops, if few, would tend only to inflame hatred and diſcontent; and how to raiſe and bring over at once, or to maintain many, it was very difficult to imagine. To theſe reaſonings Temple added the authority of Gourville, a Frenchman, for whom, he knew, the king had entertained a great eſteem. "A king of England," ſaid Gourville, "who "will be *the man of his people*, is the greateſt king in the "world: But if he will be any thing more, he is no-"thing at all." The king heard at firſt this diſcourſe with ſome impatience; but being a dextrous diſſembler, he ſeemed moved at laſt, and laying his hand on Temple's, ſaid with an appearing cordiality, "And I will be the "man of my people."

TEMPLE, when he went abroad, ſoon found, that the ſcheme of mediating a peace was likely to prove abortive. The allies, beſides their jealouſy of the king's mediation, expreſſed a great ardour for the continuance of war. Holland had ſtipulated with Spain never to come to an accommodation, till all things in Flanders were reſtored to the condition, in which they had been left by the Pyrenean treaty. The emperor had high pretenſions in Alſace; and as the greateſt part of the empire joined in the alliance, it was hoped, that France, ſo much over-matched in force, would ſoon be obliged to ſubmit to the terms demanded of her. The Dutch, indeed, oppreſſed by heavy taxes, as well as checked in their commerce, were deſirous of peace; and had few or no claims of their own to retard it: But they could

not

not in gratitude, or even in good policy, abandon allies, to whose protection they had been so lately indebted for their safety. The prince of Orange likewise, who had great influence in their councils, was all on fire for military fame, and was well pleased to be at the head of armies, from which such mighty successes were expected. Under various pretences, he eluded, during the whole campaign, the meeting with Temple; and after the troops were sent into winter-quarters, he told that minister, in his first conference, that, till greater impression were made on France, reasonable terms could not be hoped for; and it was therefore vain to negotiate. CHAP. LXVI. 1674.

Campaign of 1674.

The success of the campaign had not answered expectation. The prince of Orange, with a superior army, was opposed in Flanders to the prince of Condé, and had hoped to penetrate into France by that quarter, where the frontier was then very feeble. After long endeavouring, though in vain, to bring Condé to a battle, he rashly exposed, at Seneffe, a wing of his army; and that active prince failed not at once to see and to seize the advantage. But this imprudence of the prince of Orange was amply compensated for by his behaviour in that obstinate and bloody action which ensued. He rallied his dismayed troops; he led them to the charge; he pushed the veteran and martial troops of France; and he obliged the prince of Condé, notwithstanding his age and character, to exert greater efforts, and to risque his person more, than in any action, where, even during the heat of youth, he had ever commanded. After sun-set, the action was continued by the light of the moon; and it was darkness at last, not the weariness of the combatants, which put an end to the contest, and left the victory undecided. "The prince of Orange," said Condé, with candour and generosity, "has acted in "every thing like an old captain, except venturing his life

"too

CHAP. LXVI. 1674.

"too like a young ſoldier." Oudenarde was afterwards inveſted by the prince of Orange; but he was obliged by the Imperial and Spaniſh generals to raiſe the ſiege on the approach of the enemy. He afterwards beſieged and took Grave; and at the beginning of winter, the allied armies broke up, with great diſcontents and complaints on all ſides.

THE allies were not more ſucceſsful in other places. Lewis in a few weeks reconquered Franchecomté. In Alſace, Turenne diſplayed, againſt a much ſuperior enemy, all that military ſkill, which had long rendered him the moſt renowned captain of his age and nation. By a ſudden and forced march, he attacked and beat at Sintzheim the duke of Lorrain and Caprara, general of the Imperialiſts. Seventy thouſand Germans poured into Alſace, and took up their quarters in that province. Turenne, who had retired into Lorrain, returned unexpectedly upon them. He attacked and defeated a body of the enemy at Mulhauſen. He chaced from Colmar the elector of Brandenburgh, who commanded the German troops. He gained a new advantage at Turkheim. And having diſlodged all the allies, he obliged them to repaſs the Rhine; full of ſhame for their multiplied defeats, and ſtill more, of anger and complaints againſt each other.

IN England, all theſe events were conſidered by the people with great anxiety and concern; though the king and his miniſters affected great indifference with regard to them. Conſiderable alterations were about this time made in the Engliſh miniſtry. Buckingham was diſmiſſed, who had long, by his wit and entertaining humour, poſſeſſed the king's favour. The chief miniſters were Arlington, now chamberlain, and Danby the treaſurer. Great hatred and jealouſy took place between theſe miniſters; and the king's affairs were ſomewhat diſturbed

disturbed by their quarrels. But Danby gained ground daily with the king, and Arlington declined in the same proportion. Danby was a frugal minister; and by his application and industry, he brought the revenue into tolerable order. He endeavoured so to conduct himself as to give offence to no party; and the consequence was, that he was able entirely to please none. He was a declared enemy to the French alliance; but never possessed authority enough to overcome the prepossessions, which the king and the duke retained towards it. It must be ascribed to the prevalence of that interest, that the parliament was assembled so late this year; lest they should attempt to engage the king in measures against France, during the ensuing campaign. They met not till the approach of summer. CHAP. LXVI. 1674. 1675. 13th April.

A parliament.

EVERY step, taken by the commons, discovered that ill humour and jealousy, to which the late open measures of the king, and his present secret attachments gave but too just foundation. They drew up a new bill against popery, and resolved to insert in it many severe clauses for the detection and prosecution of priests: They presented addresses a second time against Lauderdale; and when the king's answer was not satisfactory, they seemed still determined to persevere in their applications: An accusation was moved against Danby; but upon examining the several articles, it was not found to contain any just reasons of a prosecution; and was therefore dropped: They applied to the king for recalling his troops from the French service; and as he only promised, that they should not be recruited, they appeared to be much dissatisfied with his answer: A bill was brought in, making it treason to levy money without authority of parliament: Another vacating the seats of such members as accepted of offices: Another to secure the personal

CHAP. LXVI. liberty of the subject, and to prevent sending any person prisoner beyond sea.

1675. THAT the court party might not be idle, during these attacks, a bill for a new test was introduced into the house of peers by the earl of Lindesey. All members of either house, and all who possessed any office, were by this bill required to swear, that it was not lawful, upon any pretence whatsoever, to take arms against the king; that they abhorred the traiterous position of taking arms by his authority against his person, or against those who were commissioned by him; and that they will not at any time endeavour the alteration of the protestant religion, or of the established government either in church or state.

Passive obedience.

GREAT opposition was made to this bill; as might be expected from the present disposition of the public. During seventeen days, the debates were carried on with much zeal; and all the reason and learning of both parties were displayed on this occasion. The question, indeed, with regard to resistance, was a point, which entered into the controversies of the old parties, cavalier and roundhead; as it made an essential part of the present disputes between court and country. Few neuters were found in the nation: But among such as could maintain a calm indifference, there prevailed sentiments wide of those which were adopted by either party. Such persons thought, that all public declarations of the legislature, either for or against resistance, were equally impolitic, and could serve to no other purpose, than to signalize in their turn the triumph of one faction over another: That the simplicity retained in the ancient laws of England, as well as in the laws of every other country, ought still to be preserved, and was best calculated to prevent the extremes on either side: That the absolute exclusion of resistance, in all possible cases, was founded on *false* principles;

principles; its expreſs admiſſion might be attended with *dangerous* conſequences; and there was no neceſſity for expoſing the public to either inconvenience: That if a choice muſt neceſſarily be made in the caſe, the preference of utility to truth in public inſtitutions was apparent; nor could the ſuppoſition of reſiſtance, beforehand and in general terms, be ſafely admitted in any government: That even in mixt monarchies, where that ſuppoſition ſeemed moſt requiſite, it was yet entirely ſuperfluous; ſince no man, on the approach of extraordinary neceſſity, could be at a loſs, though not directed by legal declarations, to find the proper remedy: That even thoſe who might, at a diſtance and by ſcholaſtic reaſoning, exclude all reſiſtance, would yet hearken to the voice of nature; when evident ruin, both to themſelves and to the public, muſt attend a ſtrict adherence to their pretended principles: That the queſtion, as it ought thus to be entirely excluded from all determinations of the legiſlature, was, even among private reaſoners, ſomewhat frivolous, and little better than a diſpute of words: That the one party could not pretend, that reſiſtance ought ever to become a familiar practice; the other would ſurely have recourſe to it in great extremities: And thus the difference could only turn on the degrees of danger or oppreſſion, which would warrant this irregular remedy; a difference, which, in a general queſtion, it was impoſſible, by any language, preciſely to fix or determine. CHAP. LXVI. 1675.

THERE were many other abſurdities in this teſt, particularly that of binding men by oath not to alter the government either in church or ſtate; ſince all human inſtitutions are liable to abuſe, and require continual amendments, which are, in reality, ſo many alterations. It is not indeed poſſible to make a law, which does not innovate, more or leſs, in the government. Theſe difficulties produced ſuch obſtructions to the bill, that it was carried

CHAP. LXVI. 1675.

carried only by two voices in the houſe of peers. All the popiſh lords, headed by the earl of Briſtol, voted againſt it. It was ſent down to the houſe of commons, where it was likely to meet with a ſcrutiny ſtill more ſevere.

But a quarrel which enſued between the two houſes, prevented the paſſing of every bill, projected during the preſent ſeſſion. One Dr. Shirley, being caſt in a law-ſuit before chancery againſt Sir John Fag, a member of the houſe of commons, preferred a petition of appeal to the houſe of peers. The Lords received it, and ſummoned Fag to appear before them. He complained to the lower houſe, who eſpouſed his cauſe. They not only maintained, that no member of their houſe could be ſummoned before the peers: They alſo aſſerted, that the upper houſe could receive no appeals from any court of equity: a pretenſion, which extremely retrenched the juriſdiction of the peers, and which was contrary to the practice that had prevailed during this whole century. The commons ſend Shirley to priſon; the lords aſſert their powers. Conferences are tried; but no accommodation enſues. Four lawyers are ſent to the Tower by the commons, for tranſgreſſing the order of the houſe, and pleading in this cauſe before the peers. The peers denominate this arbitrary commitment a breach of the great charter, and order the lieutenant of the Tower to releaſe the priſoners: He refuſes obedience: They apply to the king, and deſire him to puniſh the lieutenant for his contempt. The king ſummons both houſes; exhorts them to unanimity; and informs them, that the preſent quarrel had ariſen from the contrivance of his and their enemies, who propoſed by that means to force a diſſolution of the parliament. His advice has no effect: The commons continue as violent as ever; and the king, finding that no buſineſs could be finiſhed, at laſt pro-

8th June. rogued the parliament.

When

CHAP. LXVI.

1675. 13th Oct. A parliament.

When the parliament was again assembled, there appeared not in any respect a change in the dispositions of either house. The king desired supplies, as well for the building of ships as for taking off anticipations, which lay upon his revenue. He even confessed, that he had not been altogether so frugal as he might have been, and as he resolved to be for the future; though he asserted, that, to his great satisfaction, he had found his expences by no means so exorbitant as some had represented them. The commons took into consideration the subject of supply. They voted 300,000 pounds for the building of ships; but they appropriated the sum by very strict clauses. They passed a resolution not to grant any supply for taking off the anticipations of the revenue [c]. This vote was carried in a full house, by a majority of four only: So nearly were the parties balanced. The quarrel was revived, to which Dr. Shirley's cause had given occasion. The proceedings of the commons discovered the same violence as during the last session. A motion was made in the house of peers, but rejected, for addressing the king to dissolve the present parliament. The king contented himself with proroguing them to a very long term. 22d Nov. Whether these quarrels between the houses arose from contrivance or accident was not certainly known. Each party might, according to their different views, esteem themselves either gainers or losers by them. The court might desire to obstruct all attacks from the commons, by giving them other employment. The country party might desire the dissolution of a parliament, which, notwithstanding all disgusts, still contained too many royalists, ever to serve all the purposes of the malcontents.

[c] Several historians have affirmed, that the commons found, this session, upon enquiry, that the king's revenue was 1,600,000 pounds a year, and that the necessary expence was but 700,000 pounds; and have appealed to the Journals for a proof. But there is not the least appearance of this in the Journals; and the fact is impossible.

Soon

CHAP. LXVI. 1675.

Soon after the prorogation, there paſſed a tranſaction, which in itſelf is trivial, but tends ſtrongly to mark the genius of the Engliſh government, and of Charles's adminiſtration, during this period. The liberty of the conſtitution, and the variety as well as violence of the parties, had begot a propenſity for political converſation; and as the coffee-houſes in particular were the ſcenes, where the conduct of the king and the miniſtry was canvaſſed with great freedom, a proclamation was iſſued to ſuppreſs theſe places of rendezvous. Such an act of power, during former reigns, would have been grounded entirely on the prerogative; and before the acceſſion of the houſe of Stuart, no ſcruple would have been entertained with regard to that exerciſe of authority. But Charles, finding doubts to ariſe upon his proclamation, had recourſe to the judges, who ſupplied him with a chicane, and that too a frivolous one, by which he might juſtify his proceedings. The law which ſettled the exciſe, enacted, that licences for retailing liquors might be refuſed to ſuch as could not find ſecurity for payment of the duties. But coffee was not a liquor ſubjected to exciſe; and even this power of refuſing licences was very limited, and could not reaſonably be extended beyond the intention of the act. The king, therefore, obſerving the people to be much diſſatisfied, yielded to a petition of the coffee-men, who promiſed for the future to reſtrain all ſeditious diſcourſe in their houſes; and the proclamation was recalled.

Campaign of 1675.

This campaign proved more fortunate to the confederates than any other during the whole war. The French took the field in Flanders with a numerous army; and Lewis himſelf ſerved as a volunteer under the prince of Condé. But notwithſtanding his great preparations, he could gain no advantages but the taking of Huy and Limbourg, places of ſmall conſequence. The prince of Orange

Orange with a considerable army opposed him in all his motions; and neither side was willing, without a visible advantage, to hazard a general action, which might be attended either with the entire loss of Flanders on the one hand, or the invasion of France on the other. Lewis, tired of so unactive a campaign, returned to Versailles; and the whole summer passed in the Low-Countries without any memorable event. CHAP. LXVI. 1675.

TURENNE commanded on the Upper Rhine, in opposition to his great rival, Montecuculi, general of the Imperialists. The object of the latter was to pass the Rhine, to penetrate into Alsace, Lorraine, or Burgundy, and to fix his quarters in these provinces: The aim of the former was to guard the French frontiers, and to disappoint all the schemes of his enemy. The most consummate skill was displayed on both sides; and if any superiority appeared in Turenne's conduct, it was ascribed chiefly to his greater vigour of body, by which he was enabled to inspect all the posts in person, and could on the spot take the justest measures for the execution of his designs. By posting himself on the German side of the Rhine, he not only kept Montecuculi from passing that river: He had also laid his plan in so masterly a manner, that, in a few days, he must have obliged the Germans to decamp, and have gained a considerable advantage over them; when a period was put to his life, by a random shot, which struck him on the breast as he was taking a view of the enemy. The consternation of his army was inexpressible. The French troops, who, a moment before, were assured of victory, now considered themselves as entirely vanquished; and the Germans, who would have been glad to compound for a safe retreat, expected no less than the total destruction of their enemy. But de Lorges, nephew to Turenne, succeeded him in the command, and possessed a great share of the genius

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1675.

and capacity of his predeceſſor. By his ſkilful operations, the French were enabled to repaſs the Rhine, without conſiderable loſs; and this retreat was deemed equally glorious with the greateſt victory. The valour of the Engliſh troops, who were placed in the rear, contributed greatly to ſave the French army. They had been ſeized with the ſame paſſion as the native troops of France, for their brave general, and fought with ardour to revenge his death on the Germans. The duke of Marlborough, then captain Churchill, here learned the rudiments of that art, which he afterwards practiſed with ſuch fatal ſucceſs againſt France.

THE prince of Condé left the army in Flanders under the command of Luxembourg; and carrying with him a conſiderable reinforcement, ſucceeded to Turenne's command. He defended Alſace from the Germans, who had paſſed the Rhine, and invaded that province. He obliged them firſt to raiſe the ſiege of Hagenau, then that of Saberne. He eluded all their attempts to bring him to a battle. And having dextrouſly kept them from eſtabliſhing themſelves in Alſace, he forced them, notwithſtanding their ſuperiority of numbers, to repaſs the Rhine, and to take up winter quarters in their own country.

AFTER the death of Turenne, a detachment of the German army was ſent to the ſiege of Treves: An enterprize, in which the Imperialiſts, the Spaniards, the Palatine, the duke of Lorraine, and many other princes paſſionately concurred. The project was well concerted, and executed with vigor. Mareſchal Crequi, on the other hand, collected an army, and advanced with a view of forcing the Germans to raiſe the ſiege. They left a detachment to guard their lines, and under the command of the dukes of Zell and Oſnabrugh, marched in queſt of the enemy. At Conſarbric, they fell unexpectedly, and with ſuperior numbers, on Crequi, and put him to rout.

rout. He escaped with four attendants only; and throwing himself into Treves, resolved by a vigorous defence to make amends for his former error or misfortune. The garrison was brave, but not abandoned to that total despair, by which their governor was actuated. They mutinied against his obstinacy; capitulated for themselves; and because he refused to sign the capitulation, they delivered him a prisoner into the hands of the enemy. CHAP. LXVI. 1675.

It is remarkable, that this defeat, given to Crequi, is almost the only one, which the French received at land, from Rocroi to Blenheim, during the course of above sixty years; and these too, full of bloody wars against potent and martial enemies: Their victories equal almost the number of years during that period. Such was the vigour and good conduct of that monarchy! And such too were the resources and refined policy of the other European nations, by which they were enabled to repair their losses, and still to confine that mighty power nearly within its ancient limits! A fifth part of these victories would have sufficed in another period to have given to France the empire of Europe.

The Swedes had been engaged, by the payment of large subsidies, to take part with Lewis, and invade the territories of the elector of Brandenburgh in Pomerania. That elector, joined by some Imperialists from Silesia, fell upon them with bravery and success. He soon obliged them to evacuate his part of that country, and he pursued them into their own. He had an interview with the king of Denmark, who had now joined the confederates, and resolved to declare war against Sweden. These princes concerted measures for pushing the victory.

To all these misfortunes against foreign enemies were united some domestic insurrections of the common people in Guienne and Brittany. Though soon suppressed, they

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divided the force and attention of Lewis. The only advantage, gained by the French, was at ſea. Meſſina in Sicily had revolted; and a fleet under the duke de Vivonne was diſpatched to ſupport the rebels. The Dutch had ſent a ſquadron to aſſiſt the Spaniards. A battle enſued, where de Ruyter was killed. This event alone was thought equivalent to a victory.

1675.

THE French, who, twelve years before, had ſcarcely a ſhip of war in any of their harbours, had raiſed themſelves, by means of perſeverance and policy, to be, in their preſent force, though not in their reſources, the firſt maritime power in Europe. The Dutch, while in alliance with them againſt England, had ſupplied them with ſeveral veſſels, and had taught them the rudiments of the difficult art of ſhip building. The Engliſh next, when in alliance with them againſt Holland, inſtructed them in the method of fighting their ſhips, and of preſerving order in naval engagements. Lewis availed himſelf of every opportunity to aggrandize his people, while Charles, ſunk in indolence and pleaſure, neglected all the noble arts of government; or if at any time he rouſed himſelf from his lethargy, that induſtry, by reaſon of the unhappy projects which he embraced, was often more pernicious to the public than his inactivity itſelf. He was as anxious to promote the naval power of France, as if the ſafety of his crown had depended on it; and many of the plans executed in that kingdom, were firſt, it is ſaid [d], digeſted and corrected by him.

1676.

THE ſucceſſes of the allies had been conſiderable the laſt campaign; but the Spaniards and Imperialiſts well knew, that France was not yet ſufficiently broken, nor willing to ſubmit to the terms which they reſolved to impoſe upon her. Though they could not refuſe the

[d] Welwood, Burnet, Coke.

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king's mediation, and Nimeguen, after many difficulties, was at last fixed on as the place of congress; yet under one pretence or other, they still delayed sending their ambassadors, and no progress was made in the negotiation. Lord Berkeley, Sir William Temple, and Sir Lionel Jenkins, were the English ministers at Nimeguen. The Dutch, who were impatient for peace, soon appeared: Lewis, who hoped to divide the allies, and who knew, that he himself could neither be seduced nor forced into a disadvantageous peace, sent ambassadors: The Swedes, who hoped to recover by treaty, what they had lost by arms, were also forward to negotiate. But as these powers could not proceed of themselves to settle terms, the congress hitherto served merely as an amusement to the public.

1676. Congress of Nimeguen.

It was by the events of the campaign, not the conferences among the negotiators, that the articles of peace were to be determined. The Spanish towns, ill fortified and worse defended, made but a feeble resistance to Lewis; who, by laying up magazines during the winter, was able to take the field early in the spring, before the forage could be found in the open country. In the month of April he laid siege to Condé, and took it by storm in four days. Having sent the duke of Orleans to besiege Bouchaine, a small but important fortress, he posted himself so advantageously with his main army, as to hinder the confederates from relieving it, or fighting without disadvantage. The prince, in spite of the difficulties of the season, and the want of provisions, came in sight of the French army; but his industry served to no other purpose than to render him spectator of the surrender of Bouchaine. Both armies stood in awe of each other, and were unwilling to hazard an action, which might be attended with the most important consequences. Lewis, though he wanted not personal courage,

Campaign of 1676.

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was little enterprizing in the field; and being reſolved this campaign to reſt contented with the advantages which

1676. he had ſo early obtained, he thought proper to entruſt his army to mareſchal Schomberg, and retired himſelf to Verſailles. After his departure, the prince of Orange laid ſiege to Maeſtricht; but meeting with an obſtinate reſiſtance, he was obliged, on the approach of Schomberg, who in the mean time had taken Aire, to raiſe the ſiege. He was incapable of yielding to adverſity, or bending under misfortunes: But he began to foreſee, that, by the negligence and error of his allies, the war in Flanders muſt neceſſarily have a very unfortunate iſſue.

On the Upper Rhine, Philipſbourg was taken by the Imperialiſts. In Pomerania, the Swedes were ſo unſucceſsful againſt the Danes and Brandenburghers, that they ſeemed to be loſing apace all thoſe poſſeſſions, which, with ſo much valour and good fortune, they had acquired in Germany.

About the beginning of winter, the congreſs of Nimeguen was pretty full, and the plenipotentaries of the emperor and Spain, two powers ſtrictly conjoined by blood and alliance, at laſt appeared. The Dutch had threatened, if they abſented themſelves any longer, to proceed to a ſeparate treaty with France. In the conferences and negotiations, the diſpoſitions of the parties became every day more apparent.

1677. The Hollanders, loaded with debts, and harraſſed with taxes, were deſirous of putting an end to a war; in which, beſides the diſadvantages attending all leagues, the weakneſs of the Spaniards, the diviſions and delays of the Germans, prognoſticated nothing but diſgrace and misfortune. Their commerce languiſhed; and what gave them ſtill greater anxiety, the commerce of England,

by

by reaſon of her neutrality, flouriſhed extremely; and they were apprehenſive, leſt advantages, once loſt, would never thoroughly be regained. They had themſelves no farther motive for continuing the war, than to ſecure a good frontier to Flanders; but gratitude to their allies ſtill engaged them to try, whether another campaign might procure a peace, which would give general ſatisfaction. The prince of Orange, urged by motives of honour, of ambition, and of animoſity againſt France, endeavoured to keep them ſteady to this reſolution. CHAP. LXVI. 1677.

THE Spaniards, not to mention the other incurable weakneſſes, into which their monarchy was fallen, were diſtracted with domeſtic diſſenſions between the parties of the queen regent and Don John, natural brother to their young ſovereign. Though unable of themſelves to defend Flanders, they were reſolute not to conclude a peace, which would leave it expoſed to every aſſault or inroad; and while they made the moſt magnificent promiſes to the States, their real truſt was in the protection of England. They ſaw, that, if that ſmall but important territory was once ſubdued by France, the Hollanders, expoſed to ſo terrible a power, would fall into dependance, and would endeavour, by ſubmiſſions, to ward off that deſtruction, to which a war in the heart of their ſtate muſt neceſſarily expoſe them. They believed, that Lewis, ſenſible how much greater advantages he might reap from the alliance than from the ſubjection of the republic, which muſt ſcatter its people, and depreſs its commerce, would be contented with very moderate conditions, and would turn his enterprizes againſt his other neighbours. They thought it impoſſible but the people and parliament of England, foreſeeing theſe obvious conſequences, muſt at laſt force the king to take part in the affairs of the continent, in which their intereſts were ſo deeply concerned. And they truſted, that even the king

CHAP. LXVI. 1677.

himſelf, on the approach of ſo great a danger, muſt open his eyes, and ſacrifice his prejudices, in favour of France, to the ſafety of his own dominions.

Uncertain conduct of the king.

BUT Charles here found himſelf entangled in ſuch oppoſite motives and engagements, as he had not reſolution enough to break, or patience to unravel. On the one hand, he always regarded his alliance with France as a ſure reſource in caſe of any commotions among his own ſubjects; and whatever ſchemes he might have formed for enlarging his authority, or altering the eſtabliſhed religion, it was from that quarter alone he could expect aſſiſtance. He had actually in ſecret ſold his neutrality to France, and he received remittances of a million of livres a year, which was afterwards increaſed to two millions; a conſiderable ſupply in the preſent embarraſſed ſtate of his revenue. And he dreaded, leſt the parliament ſhould treat him as they had formerly done his father; and after they had engaged him in a war on the continent, ſhould take advantage of his neceſſities, and make him purchaſe ſupplies by ſacrificing his prerogative, and abandoning his miniſters.

ON the other hand, the cries of his people and parliament, ſeconded by Danby, Arlington, and moſt of his miniſters, incited him to take part with the allies, and to correct the unequal balance of power in Europe. He might apprehend danger from oppoſing ſuch earneſt deſires: He might hope for large ſupplies if he concurred with them: And however inglorious and indolent his diſpoſition, the renown of acting as arbiter of Europe, would probably at intervals rouze him from his lethargy, and move him to ſupport the high character, with which he ſtood inveſted.

IT is worthy of obſervation, that, during this period, the king was, by every one, abroad and at home, by France and by the allies, allowed to be the undiſputed arbiter

arbiter of Europe; and no terms of peace, which he would have prescribed, could have been refused by either party. Though France afterwards found means to resist the same alliance, joined with England; yet was she then obliged to make such violent efforts as quite exhausted her; and it was the utmost necessity, which pushed her to find resources, far surpassing her own expectations. Charles was sensible, that, so long as the war continued abroad, he should never enjoy ease at home, from the impatience and importunity of his subjects; yet could he not resolve to impose a peace by openly joining himself with either party. Terms advantageous to the allies must lose him the friendship of France: The contrary would enrage his parliament. Between these views, he perpetually fluctuated; and from his conduct, it is observable, that a careless, remiss disposition, agitated by opposite motives, is capable of as great inconsistencies as is incident even to the greatest imbecillity and folly. CHAP. LXVI. 1677.

THE parliament was assembled; and the king made them a plausible speech, in which he warned them against all differences among themselves; expressed a resolution to do his part for bringing their consultations to a happy issue; and offered his consent to any laws for the farther security of their religion, liberty, and property. He then told them of the decayed condition of the navy; and asked money for repairing it: He informed them, that part of his revenue, the additional excise, was soon to expire: And he added these words, "You may at "any time see the yearly established expence of the "government, by which it will appear, that, the con-"stant and unavoidable charge being paid, there will "remain no overplus towards answering those contin-"gencies, which may happen in all kingdoms, and "which have been a considerable burthen on me this "last year." 15th Feb. A parliament.

BEFORE

CHAP. LXVI.

1677.

BEFORE the parliament entered upon buſineſs, they were ſtopped by a doubt, concerning the legality of their meeting. It had been enacted by an old law of Edward III. "That parliaments ſhould be held once every year, "or oftener, if need be." The laſt prorogation had been longer than a year; and being ſuppoſed on that account illegal, it was pretended to be equivalent to a diſſolution. The conſequence ſeems by no means juſt; and beſides, a later act, that which repealed the triennial law, had determined, that it was neceſſary to hold parliaments only once in three years. Such weight, however, was put on this cavil, that Buckingham, Shafteſbury, Saliſbury, and Wharton, inſiſted ſtrenuouſly in the houſe of peers on the invalidity of the parliament, and the nullity of all its future acts. For ſuch dangerous poſitions, they were ſent to the Tower, there to remain during the pleaſure of his majeſty and the houſe. Buckingham, Saliſbury, and Wharton made ſubmiſſions, and were ſoon after releaſed. But Shafteſbury, more obſtinate in his temper, and deſirous of diſtinguiſhing himſelf by his adherence to liberty, ſought the remedy of law; and being rejected by the judges, he was at laſt, after a twelvemonth's impriſonment, obliged to make the ſame ſubmiſſions; upon which he was alſo releaſed.

THE commons at firſt ſeemed to proceed with temper. They granted the ſum of 586,000 pounds, for building thirty ſhips; though they ſtrictly appropriated the money to that ſervice. Eſtimates were given in of the expence; but it was afterwards found that they fell ſhort near 100,000 pounds. They alſo voted, agreeably to the king's requeſt, the continuance of the additional exciſe for three years. This exciſe had been granted for nine years in 1668. Every thing ſeemed to promiſe a peaceable and an eaſy ſeſſion.

BUT

CHAP. LXVI.

1677. Campaign of 1677.

But the parliament was rouſed from this tranquillity by the news received from abroad. The French king had taken the field in the middle of February, and laid ſiege to Valenciennes, which he carried in a few days by ſtorm. He next inveſted both Cambray and St. Omers. The prince of Orange, alarmed with this progreſs, haſtily aſſembled an army, and marched to the relief of St. Omers. He was encountered by the French, under the duke of Orleans and mareſchal Luxembourg. The prince poſſeſſed great talents for war; courage, activity, vigilance, patience; but ſtill he was inferior in genius to thoſe conſummate generals, oppoſed to him by Lewis; and though he always found means to repair his loſſes, and to make head in a little time againſt the victors, he was during his whole life unſucceſsful. By a maſterly movement of Luxembourg, he was here defeated and obliged to retreat to Ypres. During the battle, he made the utmoſt efforts, by exhortation and example, to rally his diſmayed ſoldiers: He ſtruck one of the runaways acroſs the face with his ſword, "Raſcal," ſaid he, "I "will ſet a mark on you at preſent, that I may hang "you afterwards." Cambray and St. Omers were ſoon ſurrendered to Lewis.

This ſucceſs, derived from ſuch great power and ſuch wiſe conduct, infuſed a juſt terror into the Engliſh parliament. They addreſſed the king, repreſenting the danger to which the kingdom was expoſed from the greatneſs of France; and praying, that his majeſty, by ſuch alliances as he ſhould think fit, would both ſecure his own dominions and the Spaniſh Netherlands, and thereby quiet the fears of his people. The king, deſirous of eluding this application, which he conſidered as a kind of attack on his meaſures, replied in general terms, that he would uſe all means for the preſervation of Flanders, conſiſtent with the peace and ſafety of his kingdoms.

This

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This anſwer was an evaſion, or rather a denial. The commons, therefore, thought proper to be more particular. They entreated him not to defer the entering into ſuch alliances as might attain that great end: And in caſe war with the French king ſhould be the reſult of his meaſures, they promiſed to grant him all the aids and ſupplies, which would enable him to ſupport the honour and intereſt of the nation. The king was alſo more particular in his reply. He told them, that the only way to prevent danger, was to put him in a condition to make preparations for their ſecurity. This meſſage was underſtood to be a demand of money. The parliament accordingly empowered the king to borrow on the additional exciſe 200,000 pounds at ſeven per cent.: A very ſmall ſum indeed; but which they deemed ſufficient, with the ordinary revenue, to equip a good ſquadron, and thereby put the nation in ſecurity, till farther reſolutions were taken.

But this conceſſion fell far ſhort of the king's expectations. He therefore informed them, that unleſs they granted him the ſum of 600,000 pounds upon new funds, it would not be poſſible for him, without expoſing the nation to manifeſt danger, *to ſpeak or act thoſe things*, which would anſwer the end of their ſeveral addreſſes. The houſe took this meſſage into conſideration: But before they came to any reſolution, the king ſent for them to Whitehall, where he told them, upon the word of a king, that they ſhould not repent any truſt, which they would repoſe in him for the ſafety of his kingdom; that he would not for any conſideration break credit with them, or employ their money to other uſes, than thoſe for which they intended it; but that he would not hazard, either his own ſafety or theirs, by taking any vigorous meaſures, or forming new alliances, till he were in a better condition, both to defend his ſubjects, and

offend

offend his enemies. This ſpeech brought affairs to a ſhort iſſue. The king required them to truſt him with a large ſum: He pawned his royal word for their ſecurity: They muſt either run the riſque of loſing their money, or endanger thoſe alliances which they had projected, and at the ſame time declare to all the world the higheſt diſtruſt of their ſovereign. CHAP. LXVI. 1677.

Parliament's diſtruſt of the king.

BUT there were many reaſons which determined the houſe of commons to put no truſt in the king. They conſidered, that the pretence of danger was obviouſly groundleſs; while the French were oppoſed by ſuch powerful alliances on the continent, while the king was maſter of a good fleet at ſea, and while all his ſubjects were ſo heartily united in oppoſition to foreign enemies. That the only juſtifiable reaſon, therefore, of Charles's backwardneſs, was not the apprehenſion of danger from abroad, but a diffidence, which he might perhaps have entertained of his parliament; leſt, after engaging him in foreign alliances for carrying on war, they ſhould take advantage of his neceſſities, and extort from him conceſſions dangerous to his royal dignity. That this parliament, by their paſt conduct, had given no foundation for ſuch ſuſpicions, and were ſo far from purſuing any ſiniſter ends, that they had granted ſupplies for the firſt Dutch war; for maintaining the triple league, though concluded without their advice; even for carrying on the ſecond Dutch war, which was entered into contrary to their opinion, and contrary to the manifeſt intereſts of the nation. That on the other hand, the king had, by former meaſures, excited very reaſonable jealouſies in his people, and did with a bad grace require at preſent their truſt and confidence. That he had not ſcrupled to demand ſupplies for maintaining the triple league, at the very moment he was concerting meaſures for breaking it, and had accordingly employed to that purpoſe the ſupplies, which

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which he had obtained by thoſe deluſive pretenſions. That his union with France, during the war againſt Holland, muſt have been founded on projects the moſt dangerous to his people; and as the ſame union was ſtill ſecretly maintained, it might juſtly be feared, that the ſame projects were not yet entirely abandoned. That the king could not ſeriouſly intend to proſecute vigorous meaſures againſt France; ſince he had ſo long remained entirely unconcerned during ſuch obvious dangers, and, till prompted by his parliament, whoſe proper buſineſs it was not to take the lead in thoſe parts of adminiſtration, had ſuſpended all his activity. That if he really meant to enter into a cordial union with his people, he would have taken the firſt ſtep, and have endeavoured, by putting truſt in them, to reſtore that confidence, which he himſelf, by his raſh conduct, had firſt violated. That it was vain to aſk ſo ſmall a ſum as 600,000 pounds, in order to ſecure him againſt the future attempts of the parliament; ſince that ſum muſt ſoon be exhauſted by a war with France, and he muſt again fall into that dependance, which was become in ſome degree eſſential to the conſtitution. That if he would form the neceſſary alliances, that ſum or a greater would inſtantly be voted; nor could there be any reaſon to dread, that the parliament would immediately deſert meaſures, in which they were engaged by their honour, their inclination, and the public intereſt. That the real ground, therefore, of the king's refuſal was neither apprehenſion of danger from foreign enemies, nor jealouſy of parliamentary encroachments; but a deſire of obtaining the money, which he intended, notwithſtanding his royal word, to employ to other purpoſes. And that by uſing ſuch diſhonourable means to ſo ignoble an end, he rendered himſelf ſtill more unworthy the confidence of his people.

THE

THE houſe of commons was now regularly divided into two parties, the court and the country. Some were inliſted in the court-party by offices, nay a few by bribes ſecretly given them; a practice firſt begun by Clifford, a dangerous miniſter: But great numbers were attached merely by inclination; ſo far as they eſteemed the meaſures of the court agreeable to the intereſts of the nation. Private views and faction had likewiſe drawn ſeveral into the country party: But there were alſo many of that party, who had no other object than the public good. Theſe diſintereſted members on both ſides fluctuated between the factions; and gave the ſuperiority ſometimes to the court, ſometimes to the oppoſition [c]. In the preſent emergence, a general diſtruſt of the king prevailed; and the parliament reſolved not to hazard their money, in expectation of alliances, which, they believed, were never intended to be formed. Inſtead of granting the ſupply, they voted an addreſs, wherein they "beſought his majeſty to enter into a league, offenſive and defenſive, with the States General of the United Provinces, againſt the growth and power of the French king, and for the preſervation of the Spaniſh Netherlands; and to make ſuch other alliances with the confederates as ſhould appear fit and uſeful to that end." They ſupported their advice with reaſons; and promiſed ſpeedy and effectual ſupplies, for preſerving his majeſty's honour and enſuring the ſafety of the public. The king pretended the higheſt anger at this addreſs, which he repreſented as a dangerous encroachment upon his prerogative. He reproved the commons in ſevere terms; and ordered them immediately to be adjourned. 8th May.

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IT is certain, that this was the critical moment, when the king both might with eaſe have preſerved the balance of power in Europe, which it has ſince coſt this iſland a

[c] Temple's Memoirs, vol. i. p. 458.

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great expence of blood and treasure to restore, and might by perseverance have at last regained, in some tolerable measure, after all past errors, the confidence of his people. This opportunity being neglected, the wound became incurable; and notwithstanding *his* momentary appearances of vigour against France and popery, and *their* momentary inclinations to rely on his faith; *he* was still believed to be at bottom engaged in the same interests, and *they* soon relapsed into distrust and jealousy. The secret memoirs of that reign, which have since been published [f], prove beyond a doubt, that the king had at this time concerted measures with France, and had no intention to enter into a war in favour of the allies. He had entertained no view, therefore, even when he pawned his ROYAL WORD to his people, than to procure a grant of money; and he trusted, that, while he eluded their expectations, he could not afterwards want pretences for palliating his conduct.

NEGOTIATIONS meanwhile were carried on between France and Holland, and an eventual treaty was concluded; that is, all their differences were adjusted, provided they could afterwards satisfy their allies on both sides. This work, though in appearance difficult, seemed to be extremely forwarded, by farther bad successes on the part of the confederates, and by the great impatience of the Hollanders; when a new event happened, which promised a more prosperous issue to the quarrel with France, and revived the hopes of all the English, who understood the interests of their country.

[f] Such as the letters, which passed betwixt Danby and Montague, the king's ambassador at Paris; Temple's Memoirs, and his Letters. In these last, we see that the king never made any proposals of terms but what were advantageous to France, and the prince of Orange believed them to have always been concerted with the French ambassador. Vol. i. p. 439.

THE

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THE king saw, with regret, the violent discontents, which prevailed in the nation, and which seemed every day to augment upon him. Desirous by his natural temper to be easy himself, and to make every body else easy, he sought expedients to appease those murmurs, which, as they were very disagreeable for the present, might in their consequences prove extremely dangerous. He knew, that, during the late war with Holland, the malcontents at home had made applications to the prince of Orange; and if he continued still to neglect the prince's interests, and to thwart the inclinations of his people, he apprehended lest their common complaints should cement a lasting union between them. He saw, that the religion of the duke inspired the nation with dismal apprehensions; and though he had obliged his brother to allow the young princesses to be educated in the protestant faith, something farther, he thought, was requisite, in order to satisfy the nation. He entertained, therefore, proposals for marrying the prince of Orange to the lady Mary, the eldest princess, and heir apparent to the crown (for the duke had no male issue.) And he hoped, by so tempting an offer, to engage him entirely in his interests. A peace he proposed to make; such as would satisfy France, and still preserve his connections with that crown: And he intended to sanctify it by the approbation of the prince, whom he found to be extremely revered in England, and respected throughout all Europe. All the reasons for this alliance were seconded by the solicitations of Danby, and also of Temple, who was at that time in England: And Charles at last granted permission to the prince, when the campaign should be over, to pay him a visit. 1677.

THE king very graciously received his nephew at New- 10th Octob.
market. He would have entered immediately upon business; but the prince desired first to be acquainted with the lady Mary: And he declared, that, contrary to the

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uſual ſentiments of perſons of his rank, he placed a great part of happineſs in domeſtic ſatisfaction, and would not, upon any conſideration of intereſt or politics, match himſelf with a perſon diſagreeable to him. He was introduced to the princeſs, whom he found in the bloom of youth, and extremely amiable both in her perſon and her character. The king now thought, that he had a double tye upon him, and might ſafely expect his compliance with every propoſal: He was ſurprized to find the prince decline all diſcourſe of buſineſs, and refuſe to concert any terms for the general peace, till his marriage ſhould be finiſhed. He foreſaw, he ſaid, from the ſituation of affairs, that his allies were likely to have hard terms; and he never would expoſe himſelf to the reproach of having ſacrificed their intereſts to promote his own purpoſes. Charles ſtill believed, notwithſtanding the cold, ſevere manner of the prince, that he would abate of this rigid punctilio of honour; and he protracted the time, hoping, by his own inſinuation and addreſs, as well as by the allurements of love and ambition, to win him to compliance. One day, Temple found the prince in very bad humour, repenting that he had ever come to England, and reſolute in a few days to leave it: But before he went, the king, he ſaid, muſt chuſe the terms, on which they ſhould hereafter live together: He was ſure it muſt be like the greateſt friends or the greateſt enemies: And he deſired Temple to inform his maſter next morning of theſe intentions. Charles was ſtruck with this menace, and foreſaw how the prince's departure would be interpreted by the people. He reſolved, therefore, immediately to yield with a good grace; and having paid a compliment to his nephew's honeſty, he told Temple, that the marriage was concluded, and deſired him to inform the duke of it, as of an affair already reſolved on. The duke ſeemed ſurprized; but yielded a prompt obedience:

dience: Which, he said, was his constant maxim to whatever he found to be the king's pleasure. No measure during this reign gave such general satisfaction. All parties strove who should most applaud it. And even Arlington, who had been kept out of the secret, told the prince, "That some things, good in themselves, were "spoiled by the manner of doing them, as some things "bad were mended by it; but he would confess, that "this was a thing so good in itself, that the manner of "doing it could not spoil it."

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1677. 23d Octob. Marriage of the prince of Orange with the lady Mary.

THIS marriage was a great surprize to Lewis, who, accustomed to govern every thing in the English court, now found so important a step taken, not only without his consent, but without his knowledge or participation. A conjunction of England with the allies, and a vigorous war in opposition to French ambition, were the consequences immediately expected, both abroad and at home: But to check these sanguine hopes, the king, a few days after the marriage, prolonged the adjournment of the parliament from the third of December to the fourth of April. This term was too late for granting supplies, or making preparations for war; and could be chosen by the king for no other reason, than as an atonement to France for his consent to the marriage.

THE king, however, entered into consultations with the prince, together with Danby and Temple, concerning the terms which it would be proper to require of France. After some debate, it was agreed, that France should restore Lorrain to the duke; with Tournay, Valenciennes, Condé, Aeth, Charleroi, Courtray, Oudenarde, and Binche to Spain, in order to form a good frontier for the Low Countries. The prince insisted much, that Franchecomté should likewise be restored; and Charles thought, that, because he had patrimonial estates of great value in that province, and deemed his

Plan of peace.

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property more secure in the hands of Spain, he was engaged by such views to be obstinate in that point: But the prince generously declared, that to procure but one good town to the Spaniards in Flanders, he would willingly abandon all those possessions. As the king still insisted on the impossibility of wresting Franchecomté from Lewis, the prince was obliged to acquiesce.

NOTWITHSTANDING this concession to France, the projected peace was favourable to the allies; and it was a sufficient indication of vigour in the king, that he had given his assent to it. He farther agreed to send over a minister instantly to Paris, in order to propose these terms. This minister was to enter into no treaty: He was to allow but two days for the acceptance or refusal of the terms: Upon the expiration of these, he was presently to return: And in case of refusal, the king promised immediately to enter into the confederacy. To carry so imperious a message, and so little expected from the English court, Temple was the person pitched on, whose declared aversion to the French interest was not likely to make him fail of vigour and promptitude in the execution of his commission.

BUT Charles next day felt a relenting in this assumed vigour. Instead of Temple he dispatched the earl of Feversham, a creature of the duke's, and a Frenchman by birth: And he said, that, the message being harsh in itself, it was needless to aggravate it by a disagreeable messenger. The prince left London; and the king, at his departure, assured him, that he never would abate in the least point of the scheme concerted, and would enter into war with Lewis, if he refused it.

Negotiations.

LEWIS received the message with seeming gentleness and complacency. He told Feversham, that the king of England well knew, that he might always be master of the peace; but some of the towns in Flanders, it seemed

very hard to demand, especially Tournay, upon whose fortifications such immense sums had been expended: He would therefore take some short time to consider of an answer. Feversham said, that he was limited to two days stay: But when that time was elapsed, he was prevailed on to remain some few days longer; and he came away at last without any positive answer. Lewis said, that he hoped his brother would not break with him for one or two towns: And with regard to them too, he would send orders to his ambassador at London to treat with the king himself. Charles was softened by the softness of France; and the blow was thus artfully eluded. The French ambassador, Berrillon, owned at last, that he had orders to yield all except Tournay, and even to treat about some equivalent for that fortress, if the king absolutely insisted upon it. The prince was gone, who had given spirit to the English court; and the negotiation began to draw out into messages and returns from Paris. CHAP. LXVI. 1677.

By intervals, however, the king could rouze himself, and show still some firmness and resolution. Finding that affairs were not likely to come to any conclusion with France, he summoned, notwithstanding the long adjournment, the parliament on the fifteenth of January; an unusual measure, and capable of giving alarm to the French court. Temple was sent for to the council, and the king told him, that he intended he should go to Holland, in order to form a treaty of alliance with the States; and that the purpose of it should be, like the triple league, to force both France and Spain to accept of the terms proposed. Temple was sorry to find this act of vigour qualified by such a regard to France, and by such an appearance of indifference and neutrality between the parties. He told the king, that the resolution agreed on, was to begin the war in conjunction with all the confe-

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derates, in case of no direct and immediate answer from France: That this measure would satisfy the prince, the allies, and the people of England; advantages which could not be expected from such an alliance with Holland alone: That France would be disobliged, and Spain likewise; nor would the Dutch be satisfied with such a faint imitation of the triple league, a measure concerted when they were equally at peace with both parties. For these reasons, Temple declined the employment; and Lawrence Hyde, second son of chancellor Clarendon, was sent in his place.

1677.

1678. THE Prince of Orange was surprized to observe such symptoms of weakness and vigour conjoined in the English counsels. He was resolved, however, to make the best of a measure, which he did not approve; and as Spain secretly consented, that her ally should form a league, which was seemingly directed against her as well as France, but which was to fall only on the latter,

6th Jan. the States concluded the treaty in the terms proposed by the king.

28th Jan. MEANWHILE, the English parliament met, after some new adjournments; and the king was astonished, that, notwithstanding the resolute measures, which, he thought, he had taken, great distrust and jealousy and discontent were apt, at intervals, still to prevail among the members. Though in his speech he had allowed, that a good peace could no longer be expected from negociation, and assured them, that he was resolved to enter into war for that purpose; the commons did not forbear to insert in their reply several harsh and even unreasonable clauses. Upon his reproving them, they seemed penitent, and voted, that they would assist his majesty in the prosecution of the war. A fleet of ninety sail, an army of thirty thousand men, and a million of money were also voted.

Great

CHAP. LXVI. 1678.

Great difficulties were made by the commons with regard to the army, which the houſe, judging by paſt meaſures, believed to be intended more againſt the liberties of England than againſt the progreſs of the French Monarch. To this perilous ſituation had the king reduced both himſelf and the nation. In all debates, ſevere ſpeeches were made, and were received with ſeeming approbation: The duke and the treaſurer began to be apprehenſive of impeachments: Many motions againſt the king's miniſters were loſt by a ſmall majority: The commons appointed a day to conſider the ſtate of the kingdom with regard to popery: And they even went ſo far as to vote, that, how urgent ſoever the occaſion, they would lay no farther charge on the people, till ſecured againſt the prevalence of the catholic party. In ſhort, the parliament was impatient for war whenever the king ſeemed averſe to it; but grew ſuſpicious of ſome ſiniſter deſign as ſoon as he complied with their requeſts, and ſeemed to enter into their meaſures.

THE king was enraged at this laſt vote: He reproached Temple with his popular notions, as he termed them; and aſked him how he thought the houſe of commons could be truſted for carrying on the war, ſhould it be entered on, when in the very commencement they made ſuch declarations. The uncertainties indeed of Charles's conduct were ſo multiplied, and the jealouſies on both ſides ſo incurable, that even thoſe, who approached neareſt the ſcene of action, could not determine, whether the king ever ſeriouſly meant to enter into war, or whether, if he did, the houſe of commons would not have taken advantage of his neceſſities, and made him purchaſe ſupplies by a great ſacrifice of his authority [g].

THE king of France knew how to avail himſelf of all the advantages, which theſe diſtractions afforded him.

[g] Temple, vol. i. p. 461.

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By his emiſſaries, he repreſented to the Dutch, the imprudence of their depending on England; where an indolent king, averſe to all war, eſpecially with France, and irreſolute in his meaſures, was actuated only by the uncertain breath of a factious parliament. To the ariſtocratical party, he remarked the danger of the prince's alliance with the royal family of England, and revived their apprehenſions; leſt, in imitation of his father, who had been honoured with the ſame alliance, he ſhould violently attempt to enlarge his authority, and enſlave his native country. In order to enforce theſe motives with farther terrors, he himſelf took the field very early in the ſpring; and after threatning Luxembourg, Mons, and Namur, he ſat down ſuddenly before Ghent and Ypres, and in a few weeks made himſelf maſter of both places. This ſucceſs gave great alarm to the Hollanders, who were no wiſe ſatisfied with the conduct of England, or with the ambiguous treaty lately concluded; and it quickened all their paces towards an accommodation.

Campaign of 1678.

IMMEDIATELY after the parliament had voted the ſupply, the king began to inliſt forces; and ſuch was the ardour of the Engliſh for a war with France, that an army of above 20,000 men, to the aſtoniſhment of Europe, was completed in a few weeks. Three thouſand men, under the duke of Monmouth, were ſent over to ſecure Oſtend: Some regiments were recalled from the French ſervice: A fleet was fitted out with great diligence: And a quadruple alliance was projected between England, Holland, Spain, and the Emperor.

BUT theſe vigorous meaſures received a ſudden damp from a paſſionate addreſs of the lower houſe; in which they juſtified all their paſt proceedings, that had given diſguſt to the king; deſired to be acquainted with the meaſures taken by him; prayed him to diſmiſs evil counſellors; and named in particular the duke of Lauderdale,

on

on whose removal they strenuously insisted. The king told them that their address was so extravagant, that he was not willing speedily to give it the answer, which it deserved. And he began again to lend an ear to the proposals of Lewis, who offered him great sums of money, if he would consent to France's making an advantageous peace with the allies. CHAP. LXVI. 1678.

Negotiations.

TEMPLE, though pressed by the king, refused to have any concern in so dishonourable a negotiation: But he informs us, that the king said, there was one article proposed, which so incensed him, that as long as he lived, he should never forget it. Sir William goes no farther; but the editor of his works, the famous Dr. Swift, says, that the French, before they would agree to any payment, required as a preliminary, that the king should engage never to keep above 8000 regular troops in his three kingdoms. Charles broke into a passion. "Cod's-fish," said he, his usual oath, "does my bro-"ther of France think to serve me thus? Are all his "promises to make me absolute master of my people "come to this? Or does he think *that* a thing to be done "with eight thousand men?"

VAN BEVERNING was the Dutch ambassador at Nimeguen, a man of great authority with the States. He was eager for peace, and was perswaded, that the reluctance of the king and the jealousies of the parliament would for ever disappoint the allies in their hopes of succour from England. Orders were sent him by the States to go to the French king at Ghent, and to concert the terms of a general treaty, as well as procure a present truce for six weeks. The terms agreed on were much worse for the Spaniards, than those which had been planned by the king and the prince of Orange. Six towns, some of them of no great importance, were to be restored to them: But Ypres, Condé, Valenciennes, and Tournay, in

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in which consisted the chief strength of their frontier, were to remain with France.

1678. GREAT murmurs arose in England when it was known, that Flanders was to be left in so defenceless a condition. The chief complaints were levelled against the king, who, by his concurrence at first, by his favour afterwards, and by his delays at last, had raised the power of France to such an enormous height, that it threatened the general liberties of Europe. Charles, uneasy under these imputations, dreading the consequence of losing the affections of his subjects, and perhaps disgusted with the secret article proposed by France, began to wish heartily for war, which, he hoped, would have restored him to his ancient popularity.

AN opportunity unexpectedly offered itself for his displaying these new dispositions. While the ministers at Nimeguen were concerting the terms of a general treaty, the marquis de Balbaces, the Spanish ambassador, asked the ambassadors of France, at what time France intended to restore the six towns in Flanders. They made no difficulty in declaring, that the king, their master, being obliged to see an entire restitution made to the Swedes of all they had lost in the war, could not evacuate these towns, till that crown had received satisfaction; and that this detention of places was the only means to induce the powers of the north to accept of the peace.

THE States immediately gave the king intelligence of a pretension, which might be attended with such dangerous consequences. The king was both surprized and angry. He immediately dispatched Temple to concert with the States vigorous measures for opposing France. Temple in six days concluded a treaty, by which Lewis was obliged to declare within sixteen days after the date,

16th July. that he would presently evacuate the towns: And in case of his refusal, Holland was bound to continue the war,

and

and England to declare immediately againſt France, in conjunction with the whole confederacy. CHAP. LXVI. 1678.

ALL theſe warlike meaſures were ſo ill ſeconded by the parliament, where even the French miniſters were ſuſpected of carrying on ſome intrigues, that the commons renewed their former jealouſies againſt the king, and voted the army immediately to be diſbanded. The king by a meſſage repreſented the danger of diſarming before peace was finally concluded; and he recommended to their conſideration, whether he could honourably recal his forces from thoſe towns in Flanders, which were put under his protection, and which had at preſent no other means of defence. The commons agreed to prolong the term with regard to theſe forces. Every thing indeed in Europe wore the appearance of war. France had poſitively declared, that ſhe would not evacuate the ſix towns before the requiſite ceſſion was made to Sweden; and her honour ſeemed now engaged to ſupport that declaration. Spain and the Empire, diſguſted with the terms of peace, impoſed by Holland, ſaw with pleaſure the proſpect of a powerful ſupport from the new reſolutions of Charles. Holland itſelf, encouraged by the prince of Orange and his party, was not diſpleaſed to find, that the war would be renewed on more equal terms. The allied army under that prince was approaching towards Mons, then blockaded by France. A conſiderable body of Engliſh forces under the duke of Monmouth, was ready to join him.

CHARLES uſually paſſed a great part of his time in the women's apartments, particularly thoſe of the dutcheſs of Portſmouth; where, among other gay company, he often met with Barillon, the French ambaſſador, a man of polite converſation, who was admitted into all the amuſements of that inglorious, but agreeable monarch. It was the charms of this ſauntering eaſy life, which, during his

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1678. his later years, attached Charles to his miſtreſſes. By the inſinuations of Barillon and the dutcheſs of Portſmouth, an order was, in an unguarded hour, procured, which inſtantly changed the face of affairs in Europe. One du Cros, a French fugitive monk, was ſent to Temple, directing him to apply to the Swediſh ambaſſador, and perſuade him not to inſiſt on the conditions required by France, but to ſacrifice to general peace thoſe intereſts of Sweden. Du Cros, who had ſecretly received inſtructions from Barillon, publiſhed every where in Holland the commiſſion, with which he was intruſted; and all men took the alarm. It was concluded, that Charles's ſudden alacrity for war was as ſuddenly extinguiſhed, and that no ſteady meaſures could ever be taken with England. The king afterwards, when he ſaw Temple, treated this important matter in raillery; and ſaid laughing, that the rogue du Cros had outwitted them all.

THE negotiations however at Nimeguen ſtill continued; and the French ambaſſadors ſpun out the time, till the morning of the critical day, which, by the late treaty between England and Holland, was to determine, whether a ſudden peace or a long war was to have place in Chriſtendom. The French ambaſſadors came then to Van Beverning, and told him, that they had received orders to conſent to the evacuation of the towns, and immediately to conclude and ſign the peace. Van Beverning might have refuſed compliance, becauſe it was now
1ſt Auguſt. impoſſible to procure the conſent and concurrence of Spain; but he had entertained ſo juſt an idea of the fluctuations in the Engliſh counſels, and was ſo much alarmed by the late commiſſion given to du Cros, that he deemed it fortunate for the republic to finiſh on any terms a dangerous war, where they were likely to be very ill ſupported. The papers were inſtantly drawn up, and

ſigned

ſigned by the miniſters of France and Holland between eleven and twelve o'clock at night. By this treaty, France ſecured the poſſeſſion of Franchecomté, together with Cambray, Aire, St. Omers, Valenciennes, Tournay, Ypres, Bouchaine, Caſſel, &c. and reſtored to Spain only Charleroi, Courtrai, Oudenard, Aeth, Ghent, and Limbourg.

NEXT day Temple received an expreſs from England, which brought the ratifications of the treaty lately concluded with the States, together with orders immediately to proceed to the exchange of them. Charles was now returned to his former inclinations for war with France.

VAN BEVERNING was loudly exclaimed againſt by the ambaſſadors of the allies at Nimeguen, eſpecially thoſe of Brandenburg and Denmark, whoſe maſters were obliged by the treaty to reſtore all their acquiſitions. The miniſters of Spain and the emperor were ſullen and diſguſted; and all men hoped, that the States, importuned and encouraged by continual ſolicitations from England, would diſavow their ambaſſador, and renew the war. The prince of Orange even took an extraordinary ſtep, in order to engage them to that meaſure; or perhaps to give vent to his own ſpleen and reſentment. The day after ſigning the peace at Nimeguen, he attacked the French army at St. Dennis near Mons; and gained ſome advantage over Luxembourg, who reſted ſecure on the faith of the treaty, and concluded the war to be finiſhed. The prince knew, at leaſt had reaſon to believe, that the peace was ſigned, though it had not been formally notified to him; and he here ſacrificed wantonly, without a proper motive, the lives of many brave men on both ſides, who fell in this ſharp and well conteſted action.

HYDE was ſent over with a view of perſuading the States to diſavow Van Beverning; and the king promiſed, that

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that England, if ſhe might depend on Holland, would immediately declare war, and would purſue it, till France were reduced to reaſonable conditions. Charles at preſent went farther than words. He hurried on the embarkation of his army for Flanders; and all his preparations wore a hoſtile appearance. But the States had been too often deceived to truſt him any longer. They ratified the treaty ſigned at Nimeguen; and all the other powers of Europe were at laſt, after much clamour and many diſguſts, obliged to accept of the terms preſcribed to them.

Peace of Nimeguen.

LEWIS had now reached the height of that glory, which ambition can afford. His miniſters and negotiators appeared as much ſuperior to thoſe of all Europe in the cabinet, as his generals and armies had been experienced in the field. A ſucceſsful war had been carried on againſt an alliance, compoſed of the greateſt potentates in Europe. Conſiderable conqueſts had been made, and his territories enlarged on every ſide. An advantageous peace was at laſt concluded, where he had given the law. The allies were ſo enraged againſt each other, that they were not likely to cement ſoon in any new confederacy. And thus he had, during ſome years, a real proſpect of attaining the monarchy of Europe, and of exceeding the empire of Charlemagne, perhaps equalling that of ancient Rome. Had England continued much longer in the ſame condition, and under the ſame government, it is not eaſy to conceive, that he could have failed of his purpoſe.

IN proportion as theſe circumſtances exalted the French, they excited indignation among the Engliſh, whoſe animoſity, rouzed by terror, mounted to a great height againſt that rival nation. Inſtead of taking the lead in the affairs of Europe, Charles, they thought, had, contrary to his own honour and intereſt, acted a part entirely ſubſervient to the common enemy; and in all his meaſures

measures had either no project at all, or such as was highly criminal and dangerous. While Spain, Holland, the emperor, the princes of Germany called aloud on England to lead them to victory and to liberty, and conspired to raise her to a station more glorious than she had ever before attained; her king, from mean pecuniary motives, had secretly sold his alliance to Lewis, and was bribed into an interest contrary to that of his people. His active schemes in conjunction with France were highly pernicious; his neutrality was equally ignominious; and the jealous, refractory behaviour of the parliament, though in itself dangerous, was the only remedy for so many greater ills, with which the public, from the misguided counsels of the king, was so nearly threatened. Such were the dispositions of men's minds at the conclusion of the peace of Nimeguen: And these dispositions naturally prepared the way for the events which followed.

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State of affairs in Scotland.

We must now return to the affairs of Scotland, which we left in some disorder, after the suppression of the insurrection in 1666. The king, who at that time endeavoured to render himself popular in England, adopted like measures in Scotland; and he entrusted the government into the hands chiefly of Tweddale, and Sir Robert Murray, men of prudence and moderation. These ministers made it their principal occupation to compose the religious differences, which ran high, and for which scarcely any modern nation but the Dutch, had as yet found the proper remedy. As rigour and restraint had failed of success in Scotland, a scheme of *comprehension* was tried; by which it was proposed to diminish greatly the authority of bishops, to abolish their negative voice in the ecclesiastical courts, and to leave them little more than the right of precedency among the presbyters. But the zealots entertained great jealousy against this scheme. They remembered, that, by such gradual steps, king

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James had endeavoured to introduce epiſcopacy. Should the ears and eyes of men be once reconciled to the name and habit of biſhops, the whole power of the function, they dreaded, would ſoon follow: The leaſt communication with unlawful and antichriſtian inſtitutions they eſteemed dangerous and criminal: *Touch not, taſte not, handle not*; this cry went out amongſt them: And the king's miniſters at laſt perceived, that they ſhould proſtitute the dignity of government, by making advances, to which the malcontents were determined not to correſpond.

THE next project adopted was that of *indulgence*. In proſecution of this ſcheme, the moſt popular of the expelled preachers, without requiring any terms of ſubmiſſion to the eſtabliſhed religion, were ſettled in vacant churches; and ſmall ſalaries of about twenty pounds a year were offered to the reſt, till they ſhould otherwiſe be eſtabliſhed. Theſe laſt refuſed the king's bounty, which they conſidered as the wages of a criminal ſilence. Even the former ſoon repented their compliance. The people, who had been accuſtomed to hear them rail againſt their ſuperiors, and preach to the times, as they called it, deemed their ſermons languid and ſpiritleſs, when deprived of theſe ornaments. Their uſual gifts, they thought, had left them, on account of their ſubmiſſion, which was ſtigmatized as eraſtianiſm. They gave them the appellation, not of miniſters of Chriſt, but of *the king's curates*; as the clergy of the eſtabliſhed church were commonly denominated the *biſhop's curates*. The preachers themſelves returned in a little time to their former practices, by which they hoped to regain their former dominion over the minds of men. The conventicles multiplied daily in the weſt: The clergy of the eſtabliſhed church were inſulted: The laws were neglected: The covenanters even met daily in arms at their places of worſhip:

And

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And though they usually dispersed themselves after divine service, yet the government took a just alarm at seeing men, who were so entirely governed by their seditious teachers, dare to set authority at defiance, and during a time of full peace, to put themselves in a military posture.

THERE was here, it is apparent, in the political body, a disease dangerous and inveterate; and the government had tried every remedy, but the true one, to allay and correct it. An unlimited *toleration*, after sects have diffused themselves and are strongly rooted, is the only expedient, which can allay their fervour, and make the civil union acquire a superiority above religious distinctions. But as the operations of this regimen are commonly gradual, and at first imperceptible, vulgar politicians are apt, for that reason, to have recourse to more hasty and more dangerous remedies. It is observable too, that these non-conformists in Scotland neither offered nor demanded toleration; but laid claim to an entire superiority, and to the exercise of extreme rigour against their adversaries. The covenant, which they idolized, was a persecuting, as well as a seditious band of confederacy; and the government, instead of treating them like madmen, who should be soothed, and flattered, and deceived into tranquillity, thought themselves intitled to a rigid obedience, and were too apt, from a mistaken policy, to retaliate upon the dissenters, who had erred from the spirit of enthusiasm.

AMIDST these disturbances, a new parliament was assembled at Edinburgh [h]; and Lauderdale was sent down commissioner. The zealous presbyterians, who were the chief patrons of liberty, were too obnoxious to resist, with any success, the measures of government; and the tide still ran strongly in favour of monarchy. The com-

[h] 19th of October, 1669.

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miſſioner had ſuch influence as to get two acts paſſed, which were of the utmoſt conſequence to the eccleſiaſtical and civil liberties of the kingdom. By the one, it was declared, that the ſettling of all things with regard to the external government of the church was a right of the crown: That whatever related to eccleſiaſtical meetings, matters, and perſons, was to be ordered, according to ſuch directions as the king ſhould ſend to his privy council: And that theſe, being publiſhed by them, ſhould have the force of laws. The other act regarded the militia, which the king by his own authority had two years before eſtabliſhed, inſtead of the army which was broken. By this act, the militia was ſettled, to the number of 22000 men, who were to be conſtantly armed, and regularly diſciplined. And it was farther enacted, that theſe troops ſhould be held in readineſs to march into England, Ireland, or any part of the king's dominions, for any cauſe in which his majeſty's authority, power, or greatneſs was concerned; on receiving orders, not from the king, but from the privy council of Scotland.

LAUDERDALE boaſted extremely of his ſervices in procuring theſe two laws: The king by the former was rendered abſolute maſter of the church, and might legally, by his edict, re-eſtabliſh, if he thought proper, the catholic religion in Scotland. By the latter he ſaw a powerful force ready at his call: He had even the advantage of being able to diſguiſe his orders under the name of the privy council; and in caſe of failure in his enterprizes, could, by ſuch a pretence, apologize for his conduct to the parliament of England. But in proportion as theſe laws were agreeable to the king, they gave alarm to the Engliſh commons, and were the chief cauſe of the redoubled attacks, which they made upon Lauderdale. Theſe attacks, however, ſerved only to fortify him in his intereſt with the king; and though it

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is probable, that the militia of Scotland, during the divided ſtate of that kingdom, would, if matters had come to extremity, have been of little ſervice againſt England; yet did Charles regard the credit of it as a conſiderable ſupport to his authority: And Lauderdale, by degrees, became the prime or rather ſole miniſter for Scotland. The natural indolence of the king diſpoſed him to place entire confidence in a man, who had ſo far extended the royal prerogative, and who was ſtill diſpoſed to render it abſolutely uncontroulable. CHAP. LXVI. 1678.

In a ſubſequent ſeſſion of the ſame parliament[i], a ſevere law was enacted againſt conventicles. Ruinous fines were impoſed both on the preachers and hearers, even if the meetings had been in houſes; but field conventicles were ſubjected to the penalty of death and confiſcation of goods: Four hundred marks Scotch were offered as a reward to thoſe who ſhould ſeize the criminals; and they were indemnified for any ſlaughter, which they ſhould commit in the execution of ſuch an undertaking. And as it was found difficult to get evidence againſt theſe conventicles, however numerous, it was enacted by another law, that, whoever, being required by the council, refuſed to give information upon oath, ſhould be puniſhed by arbitrary fines, by impriſonment, or by baniſhment to the plantations. Thus all perſecution naturally, or rather neceſſarily, adopts the iniquities, as well as rigours, of the inquiſition. What a conſiderable part of the ſociety conſider as their duty and honour, and the others are apt to regard with compaſſion and indulgence, can by no other expedient be ſubjected to ſuch ſevere penalties as the natural ſentiments of mankind appropriate only to the greateſt crimes.

Though Lauderdale found this ready compliance in the parliament, a party was formed againſt him, of which

[i] 28th of July, 1670.

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duke Hamilton was the head. This nobleman, with Tweddale, and others, went to London, and applied to the king, who, during the preſent depreſſion and inſignificance of parliament, was alone able to correct the abuſes of Lauderdale's adminiſtration. But even their complaints to him might be dangerous; and all approaches of truth to the throne were barred by the ridiculous law againſt leaſing-making; a law, which ſeems to have been extorted by the ancient nobles, in order to protect their own tyranny, oppreſſion, and injuſtice. Great precautions, therefore, were uſed by the Scottiſh malcontents in their repreſentations to the king; but no redreſs was obtained. Charles loaded them with careſſes, and continued Lauderdale in his authority.

A VERY bad, at leaſt a ſevere uſe was made of this authority. The privy council diſpoſſeſſed twelve gentlemen or noblemen of their houſes [k]; which were converted into ſo many garriſons, eſtabliſhed for the ſuppreſſion of conventicles. The nation, it was pretended, was really, on account of theſe religious aſſemblies, in a ſtate of war; and by the ancient law, the king, in ſuch an emergence, was empowered to place a garriſon in any houſe, where he ſhould judge it expedient.

IT were endleſs to recount every act of violence and arbitrary authority exerciſed during Lauderdale's adminiſtration. All the lawyers were put from the bar, nay, baniſhed by the king's order twelve miles from Edinburgh, and by that means the whole juſtice of the kingdom was ſuſpended for a year; till theſe lawyers were brought to declare it as their opinion, that all appeals to parliament were illegal. A letter was procured from the king, for turning out twelve of the chief magiſtrates of Edinburgh, and declaring them incapable of all public office;

[k] In 1675.

though

though their only crime had been their want of compliance with Lauderdale. The burroughs of Scotland have a privilege of meeting once a year by their deputies, in order to consider the state of trade, and make bye-laws for its regulation: In this convention a petition was voted, complaining of some late acts, which obstructed commerce, and praying the king, that he would impower his commissioner, in the next session of parliament, to give his assent for repealing them. For this presumption, as it was called, several of the members were fined and imprisoned. One More, a member of parliament, having moved in the house, that, in imitation of the English parliament, no bill should pass except after three readings, he was, for this pretended offence, immediately sent to prison by the commissioner. CHAP. LXVI. 1678.

THE private deportment of Lauderdale was as insolent and provoking as his public administration was violent and tyrannical. Justice likewise was universally perverted by faction and interest: And from the great rapacity of that duke, and still more of his dutchess, all offices and favours were openly put to sale. No-one was allowed to approach the throne who was not dependant on him; and no remedy could be hoped for or obtained against his manifold oppressions. The case of Mitchel shows, that this minister was as much destitute of truth and honour as of lenity and justice.

MITCHEL was a desperate fanatic, and had entertained a resolution of assassinating Sharpe, archbishop of St. Andrews, who, by his former apostacy and subsequent rigour, had rendered himself extremely odious to the covenanters. In the year 1668, Mitchel fired a pistol at the primate, as he was sitting in his coach; but the bishop of Orkney, stepping into the coach, happened to stretch out his arm, which intercepted the ball, and was much shattered by it. This happened in the principal

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ſtreet of the city; but ſo generally was the archbiſhop hated, that the aſſaſſin was allowed peaceably to walk off; and having turned a ſtreet or two, and thrown off a wig, which diſguiſed him, he immediately appeared in public, and remained altogether unſuſpected. Some years after, Sharpe remarked one, who ſeemed to eye him very eagerly; and being ſtill anxious, leſt an attempt of aſſaſſination ſhould be renewed, he ordered the man to be ſeized and examined. Two loaded piſtols were found upon him; and as he was now concluded to be the author of the former attempt, Sharpe promiſed, that, if he would confeſs his guilt, he ſhould be diſmiſſed without any puniſhment. Mitchel (for the conjecture was juſt) was ſo credulous as to believe him; but was immediately produced before the council by the faithleſs primate. The council, having no proof againſt him, but hoping to involve the whole body of covenanters in this odious crime, ſolemnly renewed the promiſe of pardon, if he would make a full diſcovery; and it was a great diſappointment to them, when they found, upon his confeſſion, that only one perſon, who was now dead, had been acquainted with his bloody purpoſe. Mitchel was next carried before a court of judicature, and required to renew his confeſſion; but being apprehenſive, leſt, tho' a pardon for life had been promiſed him, other corporal puniſhment might ſtill be inflicted, he refuſed compliance; and was ſent back to priſon. He was next examined before the council, under pretence of his being concerned in the inſurrection at Pentland; and though no proof appeared againſt him, he was put to the queſtion, and contrary to the moſt obvious principles of equity, was urged to accuſe himſelf. He endured the torture with ſingular reſolution, and continued obſtinate in the denial of a crime, of which, it is believed, he really was not guilty. Inſtead of obtaining his liberty, he

he was sent to the Bass, a very high rock, surrounded by the sea; at this time converted into a state prison, and full of the unhappy covenanters. He there remained in great misery, loaded with irons; till the year 1677, when it was resolved by some new examples to strike a fresh terror into the persecuted, but still obstinate enthusiasts. Mitchel was then brought before a court of judicature, and put upon his trial, for an attempt to assassinate an archbishop and a privy counsellor. His former confession was pleaded against him, and was proved by the testimony of the duke of Lauderdale, lord commissioner, lord Hatton his brother, the earl of Rothes, and the primate himself. Mitchel, besides maintaining that the privy council was no court of judicature, and that a confession before them was not judicial, asserted, that he had been engaged to make that confession by a solemn promise of pardon. The four privy counsellors denied upon oath, that any such promise had ever been given. The prisoner then desired, that the council books might be produced in court; and even offered a copy of that day's proceedings to be read; but the privy counsellors maintained, that, after they had made oath, no farther proof could be admitted, and that the books of council contained the king's secrets, which were on no account to be divulged. They were not probably aware, when they swore, that the clerk having engrossed the promise of pardon in the narrative of Mitchel's confession, the whole minute had been signed by the chancellor, and that the proofs of their perjury were by that means committed to record. Though the prisoner was condemned, Lauderdale was still inclined to pardon him; but the unrelenting primate rigorously insisted upon his execution, and said, that, if assassins remained unpunished, his life must be exposed to perpetual danger. Mitchel was accordingly executed at Edinburgh in

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January 1678. Such a complication of cruelty and treachery ſhews the character of thoſe miniſters, to whom the king had, at that time, entruſted the government of Scotland.

LAUDERDALE's adminiſtration, beſides the iniquities ariſing from the violence of his temper, and the ſtill greater iniquities inſeparable from all projects of perſecution, was attended with other circumſtances, which engaged him in ſevere and arbitrary meaſures. An abſolute government was to be introduced, which on its commencement is often moſt rigorous; and tyranny was ſtill obliged, for want of military power, to cover itſelf under an appearance of law; a ſituation which rendered it extremely aukward in its motions, and by provoking oppoſition, extended the violence of its oppreſſions.

THE rigours, exerciſed againſt conventicles, inſtead of breaking the ſpirit of the fanatics, had tended only, as is uſual, to render them more obſtinate, to encreaſe the fervour of their zeal, to link them more cloſely together, and to inflame them againſt the eſtabliſhed hierarchy. The commonalty, almoſt every where in the ſouth, particularly in the weſtern counties, frequented conventicles without reſerve; and the gentry, though they themſelves commonly abſtained from theſe illegal places of worſhip, connived at this irregularity in their inferiors. In order to intereſt the former on the ſide of the perſecutors, a bond or contract was by order of the privy council tendered to the landlords in the weſt, by which they were to engage for the good behaviour of their tenants; and in caſe any tenant frequented a conventicle, the landlord was to ſubject himſelf to the ſame fine as could by law be exacted from the delinquent. It was ridiculous to give ſanction to laws by voluntary contracts: It was iniquitous to make one man anſwerable for the conduct of another: It was illegal to impoſe ſuch hard

hard conditions upon men, who had no wiſe offended. For theſe reaſons, the greater part of the gentry refuſed to ſign thoſe bonds; and Lauderdale, enraged at this oppoſition, endeavoured to break their ſpirit by expedients, which were ſtill more unuſual and more arbitrary. CHAP. LXVI. 1678.

THE law, enacted againſt conventicles, had called them ſeminaries of rebellion. This expreſſion, which was nothing but a flouriſh of rhetoric, Lauderdale and the privy council were willing to underſtand in a literal ſenſe; and becauſe the weſtern counties abounded in conventicles, though otherwiſe in profound peace, they pretended that theſe counties were in a ſtate of actual war and rebellion. They made therefore an agreement with ſome highland chieftains to call out their clans to the number of 8000 men: To theſe they joined the guards, and the militia of Angus: And they ſent the whole to live at free quarters upon the lands of ſuch as had refuſed the bonds illegally required of them. The obnoxious counties were the moſt populous and moſt induſtrious in Scotland. The highlanders were the people the moſt diſorderly and the leaſt civilized. It is eaſy to imagine the havoc and deſtruction, which enſued. A multitude, not accuſtomed to diſcipline, averſe to the reſtraint of laws, trained up in rapine and violence, were let looſe amidſt thoſe whom they were taught to regard as enemies to their prince and to their religion. Nothing eſcaped their ravenous hands: By hardſhips, and ſometimes by tortures, men were obliged to diſcover their concealed wealth. Neither age, nor ſex, nor innocence afforded protection: And the gentry, finding that even thoſe who had been moſt compliant, and who had ſubſcribed the bonds, were alike expoſed to the rapacity of thoſe barbarians, confirmed themſelves ſtill more in the reſolution of refuſing them. The voice of the nation was raiſed againſt this enormous outrage; and after two months'

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months' free quarter, the highlanders were ſent back to their hills, loaded with the ſpoils and execrations of the weſt.

THOSE who had been engaged to ſubſcribe the bonds, could find no ſecurity but by turning out ſuch tenants as they ſuſpected of an inclination to conventicles, and thereby depopulating their eſtates. To encreaſe the miſery of theſe unhappy tenants, the council enacted, that none ſhould be received any where, or allowed a habitation, who brought not a certificate of his conformity from the pariſh-miniſter. That the obſtinate and refractory might not eſcape farther perſecution, a new device was fallen upon. By the law of Scotland, any man, who ſhould go before a magiſtrate, and ſwear that he thought himſelf in danger from another, might obtain a writ of *law-burrows*, as it is called; by which the latter was bound, under the penalty of impriſonment and outlawry, to find ſecurity for his good behaviour. Lauderdale entertained the abſurd notion of making the king ſue out writs of law-burrows againſt his ſubjects. On this pretence, the refuſers of the bonds were ſummoned to appear before the council, and were required to bind themſelves, under the penalty of two years' rent, neither to frequent conventicles themſelves, nor allow their family and tenants to be preſent at thoſe unlawful aſſemblies. Thus chicanery was joined to tyranny; and the majeſty of the king, inſtead of being exalted, was in reality proſtituted; as if he were obliged to ſeek the ſame ſecurity, which one neighbour might require of another.

IT was an old law, but ſeldom executed, that a man, who was accuſed of any crime, and did not appear, in order to take his trial, might be *intercommuned*, that is, he might be publicly outlawed; and whoever afterwards, either on account of buſineſs, relation, nay charity, had

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the leaſt intercourſe with him, was ſubjected to the ſame penalties as could by law be inflicted on the criminal himſelf. A great many writs of intercommuning were now iſſued againſt the hearers and preachers in conventicles; and by this ſevere and even abſurd law, crimes and guilt went on multiplying in a geometrical proportion. Where laws themſelves are ſo violent, it is no wonder that an adminiſtration ſhould be tyrannical. CHAP. LXVI. 1678.

LEST the cry of an oppreſſed people ſhould reach the throne, the council forbad, under ſevere penalties, all noblemen or gentlemen of landed property to leave the kingdom: A ſevere edict, eſpecially where the ſovereign himſelf reſided in a foreign country. Notwithſtanding this act of council, Caſſils firſt, afterwards Hamilton and Tweddale, went to London, and laid their complaints before the king. Theſe violent proceedings of Lauderdale were oppoſite to the natural temper of Charles; and he immediately iſſued orders for diſcontinuing the bonds and the writs of law-burrows. But as he was commonly little touched with what lay at a diſtance, he entertained not the proper indignation againſt thoſe who had abuſed his authority: Even while he retracted theſe oppreſſive meaſures, he was prevailed with to avow and praiſe them in a letter, which he wrote to the privy council. This proof of confidence might fortify the hands of the miniſtry; but the king ran a manifeſt hazard of loſing the affections of his ſubjects, by not permitting, even thoſe who were deſirous of it, to diſtinguiſh between him and their oppreſſors.

IT is reported [1], that Charles, after a full hearing of the debates concerning Scottiſh affairs, ſaid, "I perceive, that Lauderdale has been guilty of many bad "things, againſt the people of Scotland; but I cannot

[1] Burnet.

"find,

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"find, that he has acted any thing contrary to my interest." A sentiment unworthy of a sovereign!

During the absence of Hamilton and the other discontented lords, the king allowed Lauderdale to summon a convention of estates at Edinburgh. This assembly, besides granting some money, bestowed applauses on all Lauderdale's administration, and in their addresses to the king, expressed the highest contentment and satisfaction. But these instances of complaisance had the contrary effect in England from what was expected by the contrivers of them. All men there concluded, that in Scotland the very voice of liberty was totally suppressed; and that, by the prevalence of tyranny, grievances were so rivetted, that it was become dangerous even to mention them, or complain to the prince, who alone was capable of redressing them. From the slavery of the neighbouring kingdom, they inferred the arbitrary disposition of the king; and from the violence, with which sovereign power was there exercised, they apprehended the miseries, which might ensue to themselves upon their loss of liberty. If persecution, it was asked, by a protestant church could be carried to such extremes, what might be dreaded from the prevalence of popery, which had ever, in all ages, made open profession of exterminating by fire and sword every opposite sect or communion? And if the first approaches towards unlimited authority were so tyrannical, how dismal its final establishment; when all dread of opposition shall at last be removed by mercenary armies, and all sense of shame by long and inveterate habit?

CHAP. LXVII.

The popish plot——Oates's narrative——and character——Coleman's letters——Godfrey's murder——General consternation——The parliament——Zeal of the parliament——Bedloe's narrative——Accusation of Danby——His impeachment——Dissolution of the long parliament——Its character——Trial of Coleman——Of Ireland——New elections——Duke of Monmouth——Duke of York retires to Brussels——New parliament——Danby's impeachment——Popish plot——New council——Limitations on a popish successor——Bill of exclusion——Habeas corpus bill——Prorogation and dissolution of the parliament——Trial and execution of the five jesuits——And of Langhorne——Wakeman acquitted——State of affairs in Scotland——Battle of Bothwel bridge.

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THE English nation, ever since the fatal league with France, had entertained violent jealousies against the court; and the subsequent measures, adopted by the king, had tended more to encrease than cure the general prejudices. Some mysterious design was still suspected in every enterprize and profession: Arbitrary power and popery were apprehended as the scope of all projects: Each breath or rumour made the people start with anxiety: Their enemies, they thought, were in their very bosom, and had got possession of their sovereign's confidence. While in this timorous, jealous disposition,

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the cry of a *plot* all on a ſudden ſtruck their ears: They were wakened from their ſlumber; and like men affrighted and in the dark, took every figure for a ſpectre. The terror of each man became the ſource of terror to another. And an univerſal panic being diffuſed, reaſon and argument and common ſenſe and common humanity loſt all influence over them. From this diſpoſition of men's minds we are to account for the progreſs of the POPISH PLOT, and the credit given to it; an event, which would otherwiſe appear prodigious and altogether inexplicable.

The Popiſh plot.

ON the twelfth of Auguſt, one Kirby, a chemiſt, accoſted the king, as he was walking in the park: "Sir," ſaid he, "keep within the company: Your enemies have "a deſign upon your life; and you may be ſhot in this "very walk." Being aſked the reaſon of theſe ſtrange ſpeeches, he ſaid, that two men, called Grove and Pickering, had engaged to ſhoot the king, and Sir George Wakeman, the queen's phyſician, to poiſon him. This intelligence, he added, had been communicated to him by doctor Tongue; whom, if permitted, he would introduce to his majeſty. Tongue was a divine of the church of England; a man active, reſtleſs, full of projects, void of underſtanding. He brought papers to the king, which contained information of a plot, and were digeſted into forty-three articles. The king, not having leiſure to peruſe them, ſent them to the treaſurer, Danby, and ordered the two informers to lay the buſineſs before that miniſter. Tongue confeſſed to Danby, that he himſelf had not drawn the papers, that they had been ſecretly thruſt under his door, and that, though he ſuſpected, he did not certainly know, who was the author. After a few days, he returned, and told the treaſurer, that his ſuſpicions, he found, were juſt; and that the author of the intelligence, whom he had met twice or

thrice in the ſtreet, had acknowledged the whole matter, and had given him a more particular account of the conſpiracy, but deſired, that his name might be concealed, being apprehenſive leſt the papiſts ſhould murder him. CHAP. LXVII. 1678.

THE information was renewed with regard to Grove's and Pickering's intentions of ſhooting the king; and Tongue even pretended, that, at a particular time, they were to ſet out for Windſor with that intention. Orders were given for arreſting them, as ſoon as they ſhould appear in that place: But though this alarm was more than once renewed, ſome frivolous reaſons were ſtill found by Tongue for their delaying the journey. And the king concluded, both from theſe evaſions, and from the myſterious, artificial manner of communicating the intelligence, that the whole was an impoſture.

TONGUE came next to the treaſurer, and told him, that a pacquet of letters, written by jeſuits concerned in the plot, was that night to be put into the poſt-houſe for Windſor, directed to Bennifield, a jeſuit, confeſſor to the duke. When this intelligence was conveyed to the king, he replied, that the pacquet mentioned had a few hours before been brought to the duke by Bennifield; who ſaid, that he ſuſpected ſome bad deſign upon him, that the letters ſeemed to contain matters of a dangerous import, and that he knew them not to be the hand writing of the perſons whoſe names were ſubſcribed to them. This incident ſtill farther confirmed the king in his incredulity.

THE matter had probably ſleeped for ever, had it not been for the anxiety of the duke, who, hearing that prieſts and jeſuits and even his own confeſſor had been accuſed, was deſirous, that a thorough enquiry ſhould be made by the council into the pretended conſpiracy. Kirby and Tongue were enquired after, and were now found to be living in cloſe conjunction with Titus Oates, the perſon who was ſaid to have conveyed the firſt intelligence

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ligence to Tongue. Oates affirmed, that he had fallen under ſuſpicion with the jeſuits; that he had received three blows with a ſtick and a box on the ear from the provincial of that order, for revealing their conſpiracy: And that, over-hearing them ſpeak of their intentions to puniſh him more ſeverely, he had withdrawn, and concealed himſelf. This man, in whoſe breaſt was lodged a ſecret, involving the fate of kings and kingdoms, was allowed to remain in ſuch neceſſity, that Kirby was obliged to ſupply him with daily bread; and it was a joyful ſurprize to him, when he heard, that the council was at laſt diſpoſed to take ſome notice of his intelligence. But as he expected more encouragement from the public, than from the king or his miniſters, he thought proper, before he was preſented to the council, to go with his two companions to Sir Edmondſbury Godfrey, a noted and active juſtice of peace, and to give evidence before him of all the articles of the conſpiracy.

Oates's narrative.

The wonderful intelligence, which Oates conveyed both to Godfrey and the council, and afterwards to the parliament, was to this purpoſe[m]. The pope, he ſaid, on examining the matter in the congregation *de propaganda fide*, had found himſelf entitled to the poſſeſſion of England and Ireland on account of the hereſy of prince and people, and had accordingly aſſumed the ſovereignty of theſe kingdoms. This ſupreme power he had thought proper to delegate to the ſociety of jeſuits; and de Oliva, general of that order, in conſequence of the papal grant, had exerted every act of regal authority, and particularly had ſupplied, by commiſſions under the ſeal of the ſociety, all the chief offices, both civil and military. Lord Arundel was created chancellor, lord Powis treaſurer, Sir William Godolphin privy ſeal, Coleman ſecretary of ſtate, Langhorne attorney general, lord Bellaſis

[m] Oates's narrative.

general

general of the papal army, lord Peters lieutenant general, lord Stafford pay-master; and inferior commissions, signed by the provincial of the jesuits, were distributed all over England. All the dignities too of the church were filled, and many of them with Spaniards and other foreigners. The provincial had held a consult of the jesuits under his authority; where the king, whom they opprobriously called the Black Bastard, was solemnly tried and condemned as a heretic; and a resolution taken to put him to death. Father Le Shee (for so this great plotter and informer called father la Chaise, confessor to the French king) had consigned in London ten thousand pounds to be paid to any man, who should merit it by this assassination. A Spanish provincial had expressed like liberality: The prior of the Benedictines was willing to go the length of six thousand: The Dominicans approved of the action; but pleaded poverty. Ten thousand pounds had been offered to Sir George Wakeman, the queen's physician, who demanded fifteen thousand, as a reward for so great a service: His demand was complied with; and five thousand had been paid him by advance. Lest this means should fail, four Irish ruffians had been employed by the jesuits, at the rate of twenty guineas a-piece, to stab the king at Windsor; and Coleman, secretary to the late duchess of York, had given the messenger, who carried them orders, a guinea to quicken his diligence. Grove and Pickering were also employed to shoot the king with silver bullets: The former was to receive the sum of fifteen hundred pounds; the latter, being a pious man, was to be rewarded with thirty thousand masses, which, estimating masses at a shilling a-piece, amounted to a like value. Pickering would have executed his purpose, had not the flint at one time dropped out of his pistol, at another time the priming. Coniers, the jesuit, had bought a knife at the

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price of ten ſhillings, which, he thought, was not dear, conſidering the purpoſe for which he intended it, to wit, ſtabbing the king. Letters of ſubſcription were circulated among the catholics all over England to raiſe a ſum for the ſame purpoſe. No leſs than fifty jeſuits had met in May laſt, at the White-horſe tavern, where it was unanimouſly agreed to put the king to death. This ſynod did afterwards, for more convenience, divide themſelves into many leſſer cabals or companies; and Oates was employed to carry notes and letters from one to another, all tending to the ſame end, of murthering the king. He even carried, from one company to another, a paper, in which they formally expreſſed their reſolution of executing that deed; and it was regularly ſubſcribed by all of them. A wager of an hundred pounds was laid, and ſtakes made, that the king ſhould eat no more Chriſtmas pyes. In ſhort, it was determined, to uſe the expreſſion of a jeſuit, that if he would not become R. C. (Roman Catholic) he ſhould no longer be C. R. (Charles Rex). The great fire of London had been the work of the jeſuits, who had employed eighty or eighty-ſix perſons for that purpoſe, and had expended ſeven hundred fire-balls; but they had a good return for their charges; for they had been able to pilfer goods from the fire to the value of fourteen thouſand pounds: The jeſuits had alſo raiſed another fire on St. Margaret's Hill, whence they had ſtolen goods to the value of two thouſand pounds: Another at Southwark: And it was determined in like manner to burn all the chief cities in England. A paper model was already framed for the firing of London; the ſtations were regularly marked out, where the ſeveral fires were to commence; and the whole plan of operations was ſo concerted, that precautions were taken by the jeſuits to vary their meaſures, according to the variation of the wind. Fire-balls were familiarly called among them

them Teuxbury muſtard pills; and were ſaid to contain a notable biting ſauce. In the great fire, it had been determined to murther the king; but he had diſcovered ſuch diligence and humanity in extinguiſhing the flames, that even the jeſuits relented, and ſpared his life. Beſides theſe aſſaſſinations and fires; inſurrections, rebellions, and maſſacres were projected by that religious order in all the three kingdoms. There were twenty thouſand catholics in London, who would riſe in four and twenty hours or leſs; and Jenniſon, a jeſuit, ſaid, that they might eaſily cut the throats of a hundred thouſand proteſtants. Eight thouſand catholics had agreed to take arms in Scotland. Ormond was to be murthered by four jeſuits; a general maſſacre of the Iriſh proteſtants was concerted; and forty thouſand black bills were already provided for that purpoſe. Coleman had remitted two hundred thouſand pounds to promote the rebellion in Ireland; and the French king was to land a great army in that iſland. Poole, who wrote the Synopſis, was particularly marked out for aſſaſſination; as was alſo Dr. Stillingfleet, a controverſial writer againſt the papiſts. Burnet tells us, that Oates paid him the ſame compliment. After all this havoc, the crown was to be offered to the duke, but on the following conditions; that he receive it as a gift from the pope; that he confirm all the papal commiſſions for offices and employments; that he ratify all paſt tranſactions, by pardoning the incendiaries, and the murderers of his brother and of the people; and that he conſent to the utter extirpation of the proteſtant religion. If he refuſe theſe conditions, he himſelf was immediately to be poiſoned or aſſaſſinated. *To pot James muſt go*; according to the expreſſion aſcribed by Oates to the jeſuits.

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OATES, the informer of this dreadful plot, was himſelf the moſt infamous of mankind. He was the ſon of

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an anabaptiſt preacher, chaplain to colonel Pride; but having taken orders in the church, he had been ſettled in a ſmall living by the duke of Norfolk. He had been indicted for perjury; and by ſome means had eſcaped. He was afterwards a chaplain on board the fleet; whence he had been diſmiſſed on complaint of ſome unnatural practices, not fit to be named. He then became a convert to the catholics; but he afterwards boaſted, that his converſion was a mere pretence, in order to get into their ſecrets, and to betray them [n]: He was ſent over to the jeſuits' college at St. Omers, and though above thirty years of age, he there lived ſome time among the ſtudents. He was diſpatched on an errand to Spain; and thence returned to St. Omers; where the jeſuits, heartily tired of their convert, at laſt diſmiſſed him from their ſeminary. It is likely, that, from reſentment of this uſage, as well as from want and indigence, he was induced, in combination with Tongue, to contrive that plot, of which he accuſed the catholics.

THIS abandoned man, when examined before the council, betrayed his impoſtures in ſuch a manner, as would have utterly diſcredited the moſt conſiſtent ſtory, and the moſt reputable evidence. While in Spain, he had been carried, he ſaid, to Don John, who promiſed great aſſiſtance to the execution of the catholic deſigns. The king aſked him, what ſort of a man Don John was: He anſwered, a tall lean man; directly contrary to truth, as the king well knew [o]. He totally miſtook the ſituation of the jeſuits' college at Paris [p]. Though he pretended great intimacies with Coleman, he knew him not, when placed very near him; and had no other excuſe than that his ſight was bad in candle-light [q]. He fell into like miſtakes with regard to Wakeman.

[n] Burnet, Echard, North, L'Eſtrange, &c. [o] Burnet, North.
[p] North. [q] Burnet, North, Trials.

NOTE

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NOTWITHSTANDING these objections, great attention was paid to Oates's evidence, and the plot became very soon the subject of conversation, and even the object of terror to the people. The violent animosity, which had been excited against the catholics in general, made the public swallow the grossest absurdities, when they accompanied an accusation of those religionists: And the more diabolical any contrivance appeared, the better it suited the tremendous idea entertained of a jesuit. Danby likewise, who stood in opposition to the French and catholic interest at court, was willing to encourage every story, which might serve to discredit that party. By his suggestion, when a warrant was signed for arresting Coleman, there was inserted a clause for seizing his papers; a circumstance attended with the most important consequences.

Coleman's letters.

COLEMAN, partly on his own account, partly by orders from the duke, had been engaged in a correspondence with father la Chaise, with the Pope's nuncio at Brussels, and with other catholics abroad; and being himself a fiery zealot, busy and sanguine, the expressions in his letters often betrayed great violence and indiscretion. His correspondence during the years 1674, 1675, and part of 1676, was seized, and contained many extraordinary passages. In particular he said to la Chaise, "We have here a mighty work upon our hands, no less "than the conversion of three kingdoms, and by that "perhaps the utter subduing of a pestilent heresy, which "has a long time domineered over a great part of this "northern world. There were never such hopes of "success, since the days of queen Mary, as now in our "days. God has given us a prince," meaning the duke, "who is become (may I say a miracle) zealous of being "the author and instrument of so glorious a work; but "the opposition we are sure to meet with is also like to

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"be great: So that it imports us to get all the aid and "assistance we can." In another letter he said, "I can "scarce believe myself awake, or the thing real, when "I think of a prince in such an age as we live in, con- "verted to such a degree of zeal and piety, as not to "regard any thing in the world in comparison of God "Almighty's glory, the salvation of his own soul, and "the conversion of our poor kingdom." In other passages, the interests of the crown of England, those of the French king, and those of the catholic religion are spoken of as inseparable. The duke is also said to have connected his interests unalterably with those of Lewis. The king himself, he affirms, is always inclined to favour the catholics, when he may do it without hazard. "Money," Coleman adds, "cannot fail of perswading "the king to any thing. There is nothing it cannot "make him do, were it ever so much to his prejudice. "It has such an absolute power over him, that he can- "not resist it. Logic, built upon money, has in our "court more powerful charms than any other sort of "argument." For these reasons, he proposed to father la Chaise, that the French king should remit the sum of 300,000 pounds, on condition that the parliament be dissolved; a measure, to which, he affirmed, the king was, of himself, sufficiently inclined, were it not for his hopes of obtaining money from that assembly. The parliament, he said, had already constrained the king to make peace with Holland, contrary to the interests of the catholic religion, and of his most christian majesty: And if they should meet again, they would surely engage him farther, and even to the making of war against France. It appears also from the same letters, that the assembling of the parliament so late as April in the year 1675, had been procured by the intrigues of the catholic and French party, who thereby intended to show the Dutch and their

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confederates, that they could expect no assistance from England.

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When the contents of these letters were publicly known, they diffused the panic, with which the nation began already to be seized on account of the popish plot. Men reasoned more from their fears and their passions than from the evidence before them. It is certain, that the restless and enterprizing spirit of the catholic church, particularly of the jesuits, merits attention, and is, in some degree, dangerous to every other communion. Such zeal of proselytism actuates that sect, that its missionaries have penetrated into every nation of the globe; and in one sense there is a *popish plot* perpetually carrying on against all states, protestant, pagan, and mahometan. It is likewise very probable, that the conversion of the duke, and the favour of the king had inspired the catholic priests with new hopes of recovering in these islands their lost dominion, and gave fresh vigour to that intemperate zeal, by which they are commonly actuated. Their first aim was to obtain a toleration; and such was the evidence, they believed, of their theological tenets, that, could they but procure entire liberty, they must infallibly in time open the eyes of the people. After they had converted considerable numbers, they might be enabled, they hoped, to reinstate themselves in full authority, and entirely to suppress that heresy, with which the kingdom had so long been infected. Though these dangers to the protestant religion were distant, it was justly the object of great concern to find, that the heir of the crown was so blinded with bigotry, and so deeply engaged in foreign interests; and that the king himself had been prevailed on, from low interests, to hearken to his dangerous insinuations. Very bad consequences might ensue from such perverse habits and attachments; nor could the nation and par-

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parliament guard againſt them with too anxious a precaution. But that the Roman pontiff could hope to aſſume the ſovereignty of theſe kingdoms; a project, which, even during the darkneſs of the eleventh and twelfth centuries, would have appeared chimerical: That he ſhould delegate this authority to the jeſuits; that order in the Romiſh church, which was the moſt hated: That a maſſacre could be attempted of the proteſtants, who ſurpaſſed the catholics an hundred fold, and were inveſted with the whole authority of the ſtate: That the king himſelf was to be aſſaſſinated, and even the duke, the only ſupport of their party: Theſe were ſuch abſurdities as no human teſtimony was ſufficient to prove; much leſs the evidence of one man, who was noted for infamy, and who could not keep himſelf, every moment, from falling into the groſſeſt inconſiſtencies. Did ſuch intelligence deſerve even ſo much attention as to be refuted, it would appear, that Coleman's letters were ſufficient alone to deſtroy all its credit. For how could ſo long a train of correſpondence be carried on, by a man ſo much truſted by the party; and yet no traces of inſurrections, if really intended, of fires, maſſacres, aſſaſſinations, invaſions, be ever diſcovered in any ſingle paſſage of theſe letters? But all ſuch reflections, and many more equally obvious, were vainly employed againſt that general prepoſſeſſion, with which the nation was ſeized. Oates's plot and Coleman's were univerſally confounded together; And the evidence of the latter being unqueſtionable, the belief of the former, aided by the paſſions of hatred and of terror, took poſſeſſion of the whole people.

12th Octob. Godfrey's murther.

THERE was danger, however, leſt time might open the eyes of the public; when the murther of Godfrey completed the general deluſion, and rendered the prejudices of the nation abſolutely incurable. This magiſtrate had been miſſing ſome days; and after much ſearch, and

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many surmises, his body was found lying in a ditch at Primrose-hill: The marks of strangling were thought to appear about his neck, and some contusions on his breast: His own sword was sticking in the body; but as no considerable quantity of blood ensued on drawing it, it was concluded, that it had been thrust in after his death, and that he had not killed himself: He had rings on his fingers and money in his pocket: It was therefore inferred, that he had not fallen into the hands of robbers. Without farther reasoning, the cry rose, that he had been assassinated by the papists, on account of his taking Oates's evidence. This clamour was quickly propagated, and met with universal belief. The panic spread itself on every side with infinite rapidity; and all men, astonished with fear, and animated with rage, saw in Godfrey's fate all the horrible designs ascribed to the Catholics; and no farther doubt remained of Oates's veracity. The voice of the nation united against that hated sect; and notwithstanding that the bloody conspiracy was supposed to be now detected, men could scarcely be persuaded, that their lives were yet in safety. Each hour teemed with new rumours and surmizes. Invasions from abroad, insurrections at home, even private murthers and poisonings were apprehended. To deny the reality of the plot was to be an accomplice: To hesitate was criminal: Royalist, Republican; Churchman, Sectary; Courtier, Patriot; all parties concurred in the illusion. The city prepared for its defence, as if the enemy were at its gates: The chains and posts were put up: And it was a noted saying at that time of Sir Thomas Player, the chamberlain, that, were it not for these precautions, all the citizens might rise next morning with their throats cut[r].

General consternation.

In order to propagate the popular frenzy, several artifices were employed. The dead body of Godfrey was

[r] North, p. 206.

carried

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carried into the city, attended by vaſt multitudes. It was publicly expoſed in the ſtreets, and viewed by all ranks of men; and every one, who ſaw it, went away inflamed, as well by the mutual contagion of ſentiments, as by the diſmal ſpectacle itſelf. The funeral pomp was celebrated with great parade. The corpſe was conducted through the chief ſtreets of the city: Seventy-two clergymen marched before: Above a thouſand perſons of diſtinction followed after: And at the funeral-ſermon, two able-bodied divines mounted the pulpit, and ſtood on each ſide of the preacher, leſt, in paying the laſt duties to this unhappy magiſtrate, he ſhould, before the whole people, be murthered by the Papiſts [s].

In this diſpoſition of the nation, reaſon could no more be heard than a whiſper in the midſt of the moſt violent hurricane. Even at preſent, Godfrey's murther can ſcarcely, upon any ſyſtem, be rationally accounted for. That he was aſſaſſinated by the Catholics, ſeems utterly improbable. Theſe religioniſts could not be engaged to commit that crime from *policy*, in order to deter other magiſtrates from acting againſt them. Godfrey's fate was no wiſe capable of producing that effect, unleſs it were publicly known, that the Catholics were his murtherers; an opinion, which, it was eaſy to foreſee, muſt prove the ruin of their party. Beſides, how many magiſtrates, during more than a century, had acted in the moſt violent manner againſt the Catholics, without its being ever ſuſpected, that any one had been cut off by aſſaſſination? Such jealous times as the preſent were ſurely ill fitted for beginning theſe dangerous experiments. Shall we therefore ſay, that the Catholics were puſhed on, not by policy, but by blind *revenge* againſt Godfrey? But Godfrey had given them little or no occaſion of offence in taking Oates's evidence. His part was merely an act of

[s] North, p. 205.

form,

form, belonging to his office; nor could he, or any man in his ſtation, poſſibly refuſe it. In the reſt of his conduct, he lived on good terms with the Catholics, and was far from diſtinguiſhing himſelf by his ſeverity againſt that ſect. It is even certain, that he had contracted an intimacy with Coleman, and took care to inform his friend of the danger, to which, by reaſon of Oates's evidence, he was at preſent expoſed. CHAP. LXVII. 1678.

THERE are ſome writers, who, finding it impoſſible to account for Godfrey's murther by the machinations of the Catholics, have recourſe to the oppoſite ſuppoſition. They lay hold of that obvious preſumption, that thoſe commit the crime who reap advantage by it; and they affirm, that it was Shafteſbury and the heads of the popular party, who perpetrated that deed, in order to throw the odium of it on the Papiſts. If this ſuppoſition be received, it muſt alſo be admitted, that the whole plot was the contrivance of thoſe politicians; and that Oates acted altogether under their direction. But it appears, that Oates, dreading probably the oppoſition of powerful enemies, had very anxiouſly acquitted the duke, Danby, Ormond, and all the miniſtry; perſons who were certainly the moſt obnoxious to the popular leaders. Beſides, the whole texture of the plot contains ſuch low abſurdity, that it is impoſſible to have been the invention of any man of ſenſe or education. It is true, the more monſtrous and horrible the conſpiracy, the better was it fitted to terrify, and thence to convince, the populace: But this effect, we may ſafely ſay, no one could before-hand have expected; and a fool was in this caſe more likely to ſucceed than a wiſe man. Had Shafteſbury laid the plan of a popiſh conſpiracy, he had probably rendered it moderate, conſiſtent, credible; and on that very account had never met with the prodigious ſucceſs, with which Oates's tremendous fictions were attended.

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We muſt, therefore, be contented to remain for ever ignorant of the actors in Godfrey's murther; and only pronounce in general, that that event, in all likelihood, had no connexion, one way or other, with the popiſh plot. Any man, eſpecially ſo active a magiſtrate as Godfrey, might, in ſuch a city as London, have many enemies, of whom his friends and family had no ſuſpicion. He was a melancholy man; and there is ſome reaſon, notwithſtanding the pretended appearances to the contrary, to ſuſpect that he fell by his own hands. The affair was never examined with tranquillity, nor even with common ſenſe, during the time; and it is impoſſible for us, at this diſtance, certainly to account for it.

No one doubted but the papiſts had aſſaſſinated Godfrey; but ſtill the particular actors were unknown. A proclamation was iſſued by the king, offering a pardon and a reward of five hundred pounds to any one who would diſcover them. As it was afterwards ſurmized, that the terror of a like aſſaſſination would prevent diſcovery, a new proclamation was iſſued, promiſing abſolute protection to any one who would reveal the ſecret. Thus were indemnity, money, and ſecurity offered to the faireſt bidder: And no one needed to fear, during the preſent fury of the people, that his evidence would undergo too ſevere a ſcrutiny.

21ſt Octb. The parliament.

While the nation was in this ferment, the parliament was aſſembled. In his ſpeech the king told them, that, though they had given money for diſbanding the army [t], he had found Flanders ſo expoſed, that he had thought it neceſſary ſtill to keep them on foot, and doubted not but this meaſure would meet with their approbation. He informed them, that his revenue lay under great anticipa-

[t] They had granted him 600,000 pounds for diſbanding the army, for reimburſing the charges of his naval armament, and for paying the princeſs of Orange's portion.

tions,

tions, and at beſt was never equal to the conſtant and neceſſary expence of government; as would appear from the ſtate of it, which he intended to lay before them. He alſo mentioned the plot, formed againſt his life by jeſuits; but ſaid, that he would forbear delivering any opinion of the matter, leſt he ſhould ſeem to ſay too much or too little; and that he would leave the ſcrutiny of it entirely to the law. 1678.

THE king was anxious to keep the queſtion of the popiſh plot from the parliament; where, he ſuſpected, many deſigning people would very much abuſe the preſent credulity of the nation: But Danby, who hated the catholics, and courted popularity, and perhaps hoped, that the king, if his life was believed in danger from the jeſuits, would be more cordially loved by the nation, had entertained oppoſite deſigns; and the very firſt day of the ſeſſion, he opened the matter in the houſe of peers. The king was extremely diſpleaſed with this temerity, and told his miniſter, "Though you do not believe it, you "will find, that you have given the parliament a handle "to ruin yourſelf, as well as to diſturb all my affairs; "and you will ſurely live to repent it." Danby had afterwards ſufficient reaſon to applaud the ſagacity of his maſter.

Zeal of the parliament.

THE cry of the plot was immediately echoed from one houſe to the other. The authority of parliament gave ſanction to that fury, with which the people were already agitated. An addreſs was voted for a ſolemn faſt: A form of prayer was contrived for that ſolemnity; and becauſe the popiſh plot had been omitted in the firſt draught, it was carefully ordered to be inſerted; leſt omniſcience ſhould want intelligence, to uſe the words of an hiſtorian *.

* North, p. 207.

IN

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1678. In order to continue and propagate the alarm, addreſſes were voted for laying before the houſe ſuch papers as might diſcover the horrible conſpiracy; for the removal of popiſh recuſants from London; for adminiſtering every where the oaths of allegiance and ſupremacy; for denying acceſs at court to all unknown and ſuſpicious perſons; and for appointing the trainbands of London and Weſtminſter to be in readineſs. The lords Powis, Stafford, Arundel, Peters, and Bellaſis were committed to the Tower, and were ſoon after impeached for high treaſon. And both houſes, after hearing Oates's evidence, voted, "That the lords and commons are of opinion, that there "hath been, and ſtill is, a damnable and helliſh plot, "contrived and carried on by the popiſh recuſants, for "aſſaſſinating the king, for ſubverting the government, "and for rooting out and deſtroying the proteſtant re-"ligion."

So vehement were the houſes, that they ſat every day, forenoon and afternoon, on the ſubject of the plot: For no other buſineſs could be attended to. A committee of lords were appointed to examine priſoners and witneſſes: Blank warrants were put into their hands, for the commitment of ſuch as ſhould be accuſed or ſuſpected. Oates, who, though his evidence were true, muſt, by his own confeſſion, be regarded as an infamous villain, was by every one applauded, careſſed, and called the ſaviour of the nation. He was recommended by the parliament to the king. He was lodged in Whitehall, protected by guards, and encouraged by a penſion of 1200 pounds a year.

Bedloe's narrative.

It was not long before ſuch bountiful encouragement brought forth new witneſſes. William Bedloe, a man, if poſſible, more infamous than Oates, appeared next upon the ſtage. He was of very low birth, had been noted for ſeveral cheats and even theſts, had travelled

over

over many parts of Europe under borrowed names, had frequently passed himself for a man of quality, and had endeavoured, by a variety of lyes and contrivances, to prey upon the ignorant and unwary. When he appeared before the council, he gave intelligence of Godfrey's murther only, which, he said, had been perpetrated in Somerset-house, where the queen lived, by papists, some of them servants in her family. He was questioned about the plot; but utterly denied all knowledge of it, and also asserted, that he had no acquaintance with Oates. Next day, when examined before the committee of lords, he bethought himself better, and was ready to give an ample account of the plot, which he found so anxiously enquired into. This narrative he made to tally, as well as he could, with that of Oates, which had been published: But that he might make himself acceptable by new matter, he added some other circumstances, and these, still more tremendous and extraordinary. He said, that ten thousand men were to be landed from Flanders in Burlington Bay, and immediately to seize Hull: That Jersey and Guernsey were to be surprized by forces from Brest; and that a French Fleet was, all last summer, hovering in the Channel for that purpose: That the lords Powis and Peters were to form an army in Radnorshire, to be joined by another army, consisting of twenty or thirty thousand religious men and pilgrims, who were to land at Milford Haven from St. Iago in Spain: That there were forty thousand men ready in London; besides those, who would, on the alarm, be posted at every alehouse door, in order to kill the soldiers, as they came out of their quarters: That lord Stafford, Coleman, and father Ireland had money sufficient to defray the expences of all these armaments: That he himself was to receive four thousand pounds, as one that could murder a man; as also a commission from lord Bellasis, and a be-

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nediction

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nediction from the pope: That the king was to be aſſaſſinated; all the proteſtants maſſacred, who would not ſeriouſly be converted; the government offered to ONE, if he would conſent to hold it of the church; but if he ſhould refuſe that condition, as was ſuſpected, the authority would be given to certain lords under the nomination of the pope. In a ſubſequent examination before the commons, Bedloe added (for theſe men always brought out their intelligence ſucceſſively and by piece-meal) that lord Carrington was alſo in the conſpiracy for raiſing men and money againſt the government; as was likewiſe lord Brudenel. Theſe noblemen, with all the other perſons mentioned by Bedloe, were immediately committed to cuſtody by the parliament.

It is remarkable, that the only reſource of Spain, in her preſent decayed condition, lay in the aſſiſtance of England; and, ſo far from being in a ſituation to tranſport ten thouſand men for the invaſion of that kingdom, ſhe had ſolicited and obtained Engliſh forces to be ſent into the garriſons of Flanders, which were not otherwiſe able to defend themſelves againſt the French. The French too, we may obſerve, were, at that very time, in open war with Spain, and yet are ſuppoſed to be engaged in the ſame deſign againſt England; as if religious motives were become the ſole actuating principle among ſovereigns. But none of theſe circumſtances, however obvious, were able, when ſet in oppoſition to multiplied horrors, antipathies, and prejudices, to engage the leaſt attention of the populace: For ſuch the whole nation were at this time become. The popiſh plot paſſed for inconteſtible: And had not men ſoon expected with certainty the legal puniſhment of theſe criminals, the catholics had been expoſed to the hazard of an univerſal maſſacre. The torrent indeed of national prejudices ran ſo high,

high, that no one, without the most imminent danger, durst venture openly to oppose it; nay, scarcely any one, without great force of judgment, could even secretly entertain an opinion contrary to the prevailing sentiments. The loud and unanimous voice of a great nation has mighty authority over weak minds; and even later historians are so swayed by the concurring judgment of such multitudes, that some of them have esteemed themselves sufficiently moderate, when they affirmed, that many circumstances of the plot were true, though some were added, and others much magnified. But it is an obvious principle, that a witness, who perjures himself in one circumstance, is credible in none: And the authority of the plot, even to the end of the prosecutions, stood entirely upon witnesses. Though the catholics had been suddenly and unexpectedly detected, at the very moment, when their conspiracy, it is said, was ripe for execution; no arms, no ammunition, no money, no commissions, no papers, no letters, after the most rigorous search, ever were discovered, to confirm the evidence of Oates and Bedloe. Yet still the nation, though often frustrated, went on in the eager pursuit and confident belief of the conspiracy: And even the manifold inconsistencies and absurdities, contained in the narratives, instead of discouraging them, served only as farther incentives to discover the bottom of the plot, and were considered as slight objections, which a more complete information would fully remove. In all history, it will be difficult to find such another instance of popular frenzy and bigoted delusion.

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In order to support the panic among the people, especially among the citizens of London, a pamphlet was published with this title, "A narrative and impartial dis-"covery of the horrid popish plot, carried on for burn-"ing and destroying the cities of London and Westmin-

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" ſter with their ſuburbs; ſetting forth the ſeveral con-
" ſults, orders, and reſolutions of the jeſuits, concerning
" the ſame: By captain William Bedloe, lately engaged
" in that horrid deſign, and one of the popiſh committee
" for carrying on ſuch fires." Every fire, which had happened for ſeveral years paſt, is there aſcribed to the machinations of the jeſuits, who propoſed, as Bedloe ſaid, by ſuch attempts, to find an opportunity for the general maſſacre of the proteſtants; and in the mean time, were well pleaſed to enrich themſelves by pilfering goods from the fire.

THE king, though he ſcrupled not, wherever he could ſpeak freely, to throw the higheſt ridicule on the plot, and on all who believed it; yet found it neceſſary to adopt the popular opinion before the parliament. The torrent, he ſaw, ran too ſtrong to be controuled; and he could only hope, by a ſeeming compliance, to be able, after ſome time, to guide and direct and elude its fury. He made therefore a ſpeech to both houſes; in which he told them, that he would take the utmoſt care of his perſon during theſe times of danger; that he was as ready as their hearts could wiſh, to join with them in all means for eſtabliſhing the proteſtant religion, not only during his own time, but for all future ages; and that, provided the right of ſucceſſion was preſerved, he would conſent to any laws for reſtraining a popiſh ſucceſſor: And in concluſion, he exhorted them to think of effectual means for the conviction of popiſh recuſants; and he highly praiſed the duty and loyalty of all his ſubjects, who had diſcovered ſuch anxious concern for his ſafety.

THESE gracious expreſſions abated nothing of the vehemence of parliamentary proceedings. A bill was introduced for a new teſt, in which popery was denominated idolatry; and all members, who refuſed this teſt, were excluded from both houſes. The bill paſſed the commons without

without much oppoſition; but in the upper houſe the duke moved, that an exception might be admitted in his favour. With great earneſtneſs, and even with tears in his eyes, he told them, that he was now to caſt himſelf on their kindneſs, in the greateſt concern, which he could have in the world; and he proteſted, that, whatever his religion might be, it ſhould only be a private *thing* between God and his own ſoul, and never ſhould appear in his public conduct. Notwithſtanding this ſtrong effort, in ſo important a point, he prevailed only by two voices; a ſufficient indication of the general diſpoſition of the people. "I would not have," ſaid a noble peer, in the debate on this bill, "ſo much as a "popiſh man or a popiſh woman to remain here; not ſo "much as a popiſh dog or a popiſh bitch; not ſo much "as a popiſh cat to pur or mew about the king." What is more extraordinary; this ſpeech met with praiſe and approbation.

ENCOURAGED by this general fury, the witneſſes went ſtill a ſtep farther in their accuſations; and though both Oates and Bedloe had often declared, that there was no other perſon of diſtinction, whom they knew to be concerned in the plot, they were now ſo audacious as to accuſe the queen herſelf of entering into the deſign againſt the life of her huſband. The commons, in an addreſs to the king, gave countenance to this ſcandalous accuſation; but the lords would not be prevailed with to join in the addreſs. It is here, if any where, that we may ſuſpect the ſuggeſtions of the popular leaders to have had place. The king, it was well known, bore no great affection to his conſort, and now more than ever, when his brother and heir was ſo much hated, had reaſon to be deſirous of iſſue, which might quiet the jealous fears of his people. This very hatred, which prevailed againſt the duke, would much facilitate, he knew, any expedient that

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could be deviſed for the excluſion of that prince; and nothing farther ſeemed requiſite for the king, than to give way in this particular to the rage and fury of the nation. But Charles, notwithſtanding all allurements of pleaſure, or intereſt, or ſafety, had the generoſity to protect his injured conſort. "They think," ſaid he, "I have a mind to a new wife; but for all that I will "not ſee an innocent woman abuſed[w]." He immediately ordered Oates to be ſtrictly confined, ſeized his papers, and diſmiſſed his ſervants; and this daring informer was obliged to make applications to parliament, in order to recover his liberty.

DURING this agitation of men's minds, the parliament gave new attention to the militia; a circumſtance, which, even during times of greateſt tranquillity, can never prudently be neglected. They paſſed a bill, by which it was enacted, that a regular militia ſhould be kept in arms, during ſix weeks of the year, and a third part of them do duty every fortnight of that time. The popular leaders probably intended to make uſe of the general prejudices, and even to turn the arms of the people againſt the prince[x]. But Charles refuſed his aſſent to the bill, and told the parliament, that he would not, were it for half an hour, part ſo far with the power of the ſword: But if they would contrive any other bill for ordering the militia, and ſtill leave it in his power to aſſemble or diſmiſs them as he thought proper, he would willingly give it the royal aſſent. The commons, diſſatisfied with this negative, though the king had never before employed that prerogative, immediately voted that all the new-levied forces ſhould be diſbanded. They paſſed a bill, granting money for that purpoſe; but to ſhew their extreme jealouſy of the crown, beſides appropriating that money by the ſtricteſt clauſes, they ordered it to be

[w] North's Examen. p. 186.

[x] Burnet, vol. i. p. 437.

4 paid,

paid, not into the exchequer, but into the chamber of London. The lords demurred with regard to so extraordinary a clause, which threw a violent reflection on the king's ministers, and even on himself; and by that means the act remained in suspence. CHAP. LXVII. 1678.

It was no wonder, that the present ferment and credulity of the nation engaged men of infamous character and indigent circumstances to become informers; when persons of rank and condition could be tempted to give into that scandalous practice. Montague, the king's ambassador at Paris, had procured a seat in the lower house; and without obtaining or asking the king's leave, he suddenly came over to England. Charles, suspecting his intention, ordered his papers to be seized; but Montague, who foresaw this measure, had taken care to secrete one paper, which he immediately laid before the house of commons. It was a letter from the treasurer Danby, written in the beginning of the year, during the negociations at Nimeguen for the general peace. Montague was there directed to make a demand of money from France; or in other words, the king was willing secretly to sell his good offices to Lewis, contrary to the general interests of the confederates, and even to those of his own kingdoms. The letter, among other particulars, contains these words: "In case the conditions "of peace shall be accepted, the king expects to have "six millions of livres a year for three years, from the "time that this agreement shall be signed between his "majesty and the king of France; because it will proba-"bly be two or three years before the parliament will "be in humour to give him any supplies after the mak-"ing of any peace with France; and the ambassador "here has always agreed to that sum; but not for so "long a time." Danby was so unwilling to engage in this negociation, that the king, to satisfy him, subjoined Accusation of Danby.

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with his own hand these words: "This letter is writ "by my order, C. R."

THE commons were inflamed with this intelligence; and carrying their suspicions farther than the truth, they concluded, that the king had all along acted in concert with the French court; and that every step, which he had taken in conjunction with the allies, had been illusory and deceitful. Desirous of getting to the bottom of so important a secret, and being pushed by Danby's numerous enemies, they immediately voted an impeachment of high treason against that minister, and sent up six articles to the house of peers. These articles were, That he had traiterously engrossed to himself regal power, by giving instructions to his majesty's ambassadors, without the participation of the secretaries of state, or the privy-council: That he had traiterously endeavoured to subvert the government, and introduce arbitrary power; and to that end, had levied and continued an army, contrary to act of parliament: That he had traiterously endeavoured to alienate the affections of his majesty's subjects, by negociating a disadvantageous peace with France, and procuring money for that purpose: That he was popishly affected, and had traiterously concealed, after he had notice, the late horrid and bloody plot, contrived by the papists against his majesty's person and government: That he had wasted the king's treasure: And that he had, by indirect means, obtained several exorbitant grants from the crown.

His impeachment.

IT is certain, that the treasurer, in giving instructions to an ambassador, had exceeded the bounds of his office; and as the genius of a monarchy, strictly limited, requires, that the proper minister should be answerable for every abuse of power, the commons, though they here advanced a new pretension, might justify themselves by the utility, and even necessity of it. But in other respects their

charge

charge againſt Danby was very ill grounded. That mi- CHAP. LXVII.
niſter made it appear to the houſe of lords, not only that 1678.
Montague, the informer againſt him, had all along promoted the money-negociations with France, but that he himſelf was ever extremely averſe to the intereſts of that crown, which he eſteemed pernicious to his maſter, and to his country. The French nation, he ſaid, had always entertained, as he was certainly informed, the higheſt contempt, both of the king's perſon and government. His diligence, he added, in tracing and diſcovering the popiſh plot, was generally known; and if he had common ſenſe, not to ſay common honeſty, he would ſurely be anxious to preſerve the life of a maſter, by whom he was ſo much favoured. He had waſted no treaſure, becauſe there was no treaſure to waſte. And though he had reaſon to be grateful for the king's bounty, he had made more moderate acquiſitions than were generally imagined, and than others in his office had often done, even during a ſhorter adminiſtration.

THE houſe of peers plainly ſaw, that, allowing all the charge of the commons to be true, Danby's crime fell not under the ſtatute of Edward III.; and though the words, *treaſon* and *traiterouſly*, had been carefully inſerted in ſeveral articles, this appellation could not change the nature of things, or ſubject him to the penalties annexed to that crime. They refuſed, therefore, to commit Danby upon this irregular charge: The commons inſiſted on their demand; and a great conteſt was likely to ariſe, when the king, who had already obſerved ſufficient inſtances of the ill-humour of the parliament, thought proper to prorogue them. This prorogation was ſoon after followed by a diſſolution; a deſperate remedy in the preſent diſpoſition of the nation. But the diſeaſe, it muſt be owned, the king had reaſon to eſteem deſperate. The utmoſt rage had been diſcovered by the commons, on

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account of the popiſh plot; and their fury began already to point againſt the royal family, if not againſt the throne itſelf. The duke had been ſtruck at in ſeveral motions: The treaſurer had been impeached: All ſupply had been refuſed, except on the moſt diſagreeable conditions: Fears, jealouſies, and antipathies were every day multiplying in parliament: And though the people were ſtrongly infected with the ſame prejudices, the king hoped, that, by diſſolving the preſent cabals, a ſet of men might be choſen, more moderate in their purſuits, and leſs tainted with the virulence of faction.

Its character.

THUS came to a period a parliament, which had ſat during the whole courſe of this reign, one year excepted. Its concluſion was very different from its commencement. Being elected during the joy and feſtivity of the reſtoration, it conſiſted almoſt entirely of royaliſts; who were diſpoſed to ſupport the crown by all the liberality, which the habits of that age would permit. Alarmed by the alliance with France, they gradually withdrew their confidence from the king; and finding him ſtill to perſevere in a foreign intereſt, they proceeded to diſcover ſymptoms of the moſt refractory and moſt jealous diſpoſition. The popiſh plot puſhed them beyond all bounds of moderation; and before their diſſolution, they ſeemed to be treading faſt in the foot-ſteps of the laſt long parliament, on whoſe conduct they threw at firſt ſuch violent blame. In all their variations, they had ſtill followed the opinions and prejudices of the nation; and ſeemed ever to be more governed by humour and party views than by public intereſt, and more by public intereſt than by any corrupt or private influence.

DURING the ſitting of the parliament, and after its prorogation and diſſolution, the trials of the pretended criminals were carried on; and the courts of judicature, places, which, if poſſible, ought to be kept more pure

from

from injuſtice than even national aſſemblies themſelves, were ſtrongly infected with the ſame party rage and bigoted prejudices. Coleman, the moſt obnoxious of the conſpirators, was firſt brought to his trial. His letters were produced againſt him. They contained, as he himſelf confeſſed, much indiſcretion: But unleſs ſo far as it is illegal to be a zealous catholic, they ſeem to prove nothing criminal, much leſs treaſonable againſt him. Oates and Bedloe depoſed, that he had received a commiſſion, ſigned by the ſuperior of the jeſuits, to be papal ſecretary of ſtate, and had conſented to the poiſoning, ſhooting, and ſtabbing of the king: He had even, according to Oates's depoſition, advanced a guinea to promote thoſe bloody purpoſes. Theſe wild ſtories were confounded with the projects contained in his letters; and Coleman received ſentence of death. The ſentence was ſoon after executed upon him [y]. He ſuffered with calmneſs and conſtancy, and to the laſt perſiſted in the ſtrongeſt proteſtations of his innocence.

CHAP. LXVII. 1678. Trial of Coleman.

COLEMAN'S execution was ſucceeded by the trial of father Ireland, who, it is pretended, had ſigned, together with fifty jeſuits, the great reſolution of murdering the king. Grove and Pickering, who had undertaken to ſhoot him, were tried at the ſame time. The only witneſſes againſt the priſoners were ſtill Oates and Bedloe. Ireland affirmed, that he was in Staffordſhire all the month of Auguſt laſt, a time when Oates's evidence made him in London. He proved his aſſertion by good evidence, and would have proved it by undoubted; had he not, moſt iniquitouſly, been debarred, while in priſon, of all uſe of pen and ink, and denied the liberty of ſending for witneſſes. All theſe men, before their arraignment, were condemned in the opinion of the judges, jury, and ſpectators; and to be a jeſuit, or even a catholic, was of

Of Ireland.

[y] 3d of December.

itſelf

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itself a sufficient proof of guilt. The chief justice [z] in particular, gave sanction to all the narrow prejudices and

1678. bigoted fury of the populace. Instead of being council for the prisoners, as his office required, he pleaded the cause against them, brow-beat their witnesses, and on every occasion represented their guilt as certain and uncontroverted. He even went so far as publicly to affirm, that the papists had not the same principles which protestants have, and therefore were not entitled to that common *credence*, which the principles and practices of the latter call for. And when the jury brought in their verdict against the prisoners, he said, "You have done, "gentlemen, like very good subjects, and very good "Christians, that is to say, like very good Protestants: "And now much good may their 30,000 masses do "them." Alluding to the masses, by which Pickering was to be rewarded for murdering the king. All these unhappy men went to execution, protesting their innocence; a circumstance, which made no impression on the

1679. 24th Jan. spectators. The opinion, that the jesuits allowed of lies and mental reservations for promoting a good cause, was at this time so universally received, that no credit was given to testimony delivered either by that order, or by any of their disciples. It was forgot, that all the conspirators, engaged in the gun-powder-treason, and Garnet, the jesuit, among the rest, had freely on the scaffold made confession of their guilt.

THOUGH Bedloe had given information of Godfrey's murder, he still remained a single evidence against the persons accused; and all the allurements of profit and honour had not hitherto tempted any one to confirm the testimony of that informer. At last, means were found to compleat the legal evidence. One Prance, a silversmith, and a catholic, had been accused by Bedloe of being an accomplice in the murder; and upon his denial

[z] Sir William Scrogges.

had

had been thrown into prison, loaded with heavy irons, and confined to the condemned hole, a place cold, dark, and full of nastiness. Such rigours were supposed to be exercised by orders from the secret committee of lords, particularly Shaftesbury and Buckingham; who, in examining the prisoners, usually employed (as it is said, and indeed sufficiently proved) threatenings and promises, rigour and indulgence, and every art, under pretence of extorting the truth from them. Prance had not courage to resist, but confessed himself an accomplice in Godfrey's murder. Being asked concerning the plot, he also thought proper to be acquainted with it, and conveyed some intelligence to the council. Among other absurd circumstances, he said, that one Le Fevre bought a second-hand sword of him; because he knew not, as he said, what times were at hand: And Prance expressing some concern for poor tradesmen, if such times came; Le Fevre replied, that it would be better for tradesmen, if the catholic religion were restored: And particularly, that there would be more church work for silversmiths. But all this information, with regard to the plot as well as the murder of Godfrey, Prance solemnly retracted, both before the king and the secret committee: And being again thrown into prison, he was induced, by new terrors and new sufferings, to confirm his first information, and was now produced as a sufficient evidence. CHAP. LXVII. 1679.

Hill, Green and Berry were tried for Godfrey's murder; all of them men of low stations. Hill was servant to a physician: The other two belonged to the popish chapel at Somerset-house. It is needless to run over all the particulars of a long trial: It will be sufficient to say, that Bedloe's evidence and Prance's were in many circumstances totally irreconcileable; that both of them laboured under unsurmountable difficulties, not

to

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to say gross absurdities; and that they were invalidated by contrary evidence, which is altogether convincing. But all was in vain: The prisoners were condemned and executed. They all denied their guilt at their execution; and as Berry died a protestant, this circumstance was regarded as very considerable: But instead of its giving some check to the general credulity of the people, men were only surprised, that a protestant could be induced at his death to persist in so manifest a falshood.

Feb. 21st and 28th.

As the army could neither be kept up, nor disbanded without money, the king, how little hopes soever he could entertain of more compliance, found himself obliged to summon a new parliament. The blood, already shed on account of the popish plot, instead of satiating the people, served only as an incentive to their fury; and each conviction of a criminal was hitherto regarded as a new proof of those horrible designs, ascribed to the papists. This election is perhaps the first in England, which, since the commencement of the monarchy, had been carried on by a violent contest between the parties, and where the court interested itself, to a high degree, in the choice of the national representatives. But all its efforts were fruitless, in opposition to the torrent of prejudices, which prevailed. Religion, liberty, property, even the lives of men were now supposed to be at stake; and no security, it was thought, except in a vigilant parliament, could be found against the impious and bloody conspirators. Were there any part of the nation, to which the ferment, occasioned by the popish plot, had not as yet propagated itself; the new elections, by interesting the whole people in public concerns, tended to diffuse it into the remotest corner; and the consternation, universally excited, proved an excellent engine for influencing the electors. All the zealots of the former parliament were re-chosen; New ones were added:

New elections.

added: The presbyterians in particular, being transported with the most inveterate antipathy against popery, were very active and very successful in the elections. That party, it is said, first began at this time the abuse of splitting their freeholds, in order to multiply votes and electors. By accounts, which came from every part of England, it was concluded, that the new representatives would, if possible, exceed the old in their refractory opposition to the court, and furious persecution of the catholics. CHAP. LXVII. 1679.

THE king was alarmed, when he saw so dreadful a tempest arise from such small and unaccountable beginnings. His life, if Oates and Bedloe's information was true, had been aimed at by the catholics: Even the duke's was in danger: The higher, therefore, the rage mounted against popery, the more should the nation have been reconciled to these two princes, in whom, it appeared, the church of Rome reposed no confidence. But there is a sophistry, which attends all the passions; especially those into which the populace enter. Men gave credit to the informers, so far as concerned the guilt of the catholics: But they still retained their old suspicions, that these religionists were secretly favoured by the king, and had obtained the most entire ascendant over his brother. Charles had too much penetration not to see the danger, to which the succession, and even his own crown and dignity, now stood exposed. A numerous party, he found, was formed against him; on the one hand, composed of a populace, so credulous from prejudice, so blinded with religious antipathy, as implicitly to believe the most palpable absurdities; and conducted, on the other hand, by leaders so little scrupulous, as to endeavour, by encouraging perjury, subornation, lyes, impostures, and even by shedding innocent blood, to gratify their own furious ambition, and subvert all legal authority.

CHAP. LXVII. 1679.

authority. Rouzed from his lethargy by ſo imminent a peril, he began to exert that vigour of mind, of which, on great occaſions, he was not deſtitute; and without quitting in appearance his uſual facility of temper, he collected an induſtry, firmneſs, vigilance, of which he was believed altogether incapable. Theſe qualities, joined to dexterity and judgment, conducted him happily through the many ſhoals, which ſurrounded him; and he was at laſt able to make the ſtorm fall on the heads of thoſe who had blindly raiſed, or artfully conducted it.

ONE chief ſtep, which the king took, towards gratifying and appeaſing his people and parliament, was, deſiring the duke to withdraw beyond ſea, that no farther ſuſpicion might remain of the influence of popiſh counſels. The duke readily complied; but firſt required an order for that purpoſe, ſigned by the king; leſt his abſence ſhould be interpreted as a proof of fear or of guilt. He alſo deſired, that his brother ſhould ſatisfy him, as well as the public, by a public declaration of the illegitimacy of the duke of Monmouth.

Duke of Monmouth.

JAMES duke of Monmouth was the king's natural ſon by Lucy Walters, and born about ten years before the reſtoration. He poſſeſſed all the qualities, which could engage the affections of the populace; a diſtinguiſhed valour, an affable addreſs, a thoughtleſs generoſity, a graceful perſon. He roſe ſtill higher in the public favour, by reaſon of the univerſal hatred, to which the duke, on account of his religion, was expoſed. Monmouth's capacity was mean; his temper pliant: So that, notwithſtanding his great popularity, he had never been dangerous, had he not implicitly reſigned himſelf to the guidance of Shafteſbury, a man of ſuch a reſtleſs temper, ſuch ſubtle wit, and ſuch abandoned principles. That daring politician had flattered Monmouth with the hopes of ſucceeding to the crown. The ſtory of a contract of marriage,

marriage, passed between the king and Monmouth's mother, and secretly kept in a certain *black box*, had been industriously spread abroad, and was greedily received by the multitude. As the horrors of popery still pressed harder on them, they might be induced, either to adopt that fiction, as they had already done many others more incredible, or to commit open violation on the right of succession. And it would not be difficult, it was hoped, to persuade the king, who was extremely fond of his son, to give him the preference above a brother, who, by his imprudent bigotry, had involved him in such inextricable difficulties. But Charles, in order to cut off all such expectations, as well as to remove the duke's apprehensions, took care, in full council, to make a declaration of Monmouth's illegitimacy, and to deny all promise of marriage with his mother. The duke, being gratifyed in so reasonable a request, willingly complied with the king's desire, and retired to Brussels.

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Duke of York retires to Brussels.

But the king soon found, that, notwithstanding this precaution, notwithstanding his concurrence in the prosecution of the popish plot, notwithstanding the zeal which he expressed, and even at this time exercised against the catholics; he had no wise obtained the confidence of his parliament. The refractory humour of the lower house appeared in the first step, which they took upon their assembling. It had ever been usual for the commons, in the election of their speaker, to consult the inclinations of the Sovereign; and even the long parliament in 1641 had not thought proper to depart from so established a custom. The king now desired, that the choice should fall on Sir Thomas Meres: But Seymour, speaker to the last parliament, was instantly called to the chair, by a vote which seemed unanimous. The king, when Seymour was presented to him for his approbation, rejected him, and ordered the commons to proceed to a

6th March. New parliament.

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new choice. A great flame was excited. The commons maintained, that the king's approbation was merely a form, and that he could not, without giving a reaſon, reject the ſpeaker choſen: The king, that, ſince he had the power of rejecting, he might, if he pleaſed, keep the reaſon in his own breaſt. As the queſtion had never before been ſtarted, it might ſeem difficult to find principles, upon which it could be decided [a]. By way of compromiſe, it was agreed to ſet aſide both candidates. Gregory, a lawyer, was choſen; and the election was ratified by the king. It has ever ſince been underſtood, that the choice of the ſpeaker lies in the houſe; but that the king retains the power of rejecting any perſon diſagreeable to him.

Danby's impeachment.

SEYMOUR was deemed a great enemy to Danby; and it was the influence of that nobleman, as commonly ſuppoſed, which had engaged the king to enter into this ill-timed controverſy with the commons. The impeachment, therefore, of Danby was on that account the ſooner revived; and it was maintained by the commons, that, notwithſtanding the intervening diſſolution, every part of that proceeding ſtood in the ſame condition in which it had been left by the laſt parliament: A pretenſion, which, though unuſual, ſeems tacitly to have been yielded them. The king had before hand had the precaution to grant a pardon to Danby; and, in order to ſcreen the chancellor from all attacks by the commons, he had taken the great ſeal into his own hands, and had himſelf affixed it to the parchment. He told the parliament, that, as Danby had acted in every thing by his

[a] In 1566, the ſpeaker ſaid to Q. Elizabeth, that without her allowance the election of the houſe was of no ſignificance. D'Ewes's Journal, p. 97. In the parliament 1592, 1593, the ſpeaker, who was Sir Edward Coke, advances a like poſition. D'Ewes, p. 459. Townſhend, p. 35. So that this pretenſion of the commons ſeems to have been ſomewhat new; like many of their other powers and privileges.

orders,

orders, he was in no respect criminal; that his pardon, however, he would insist upon; and if it should be found any wise defective in form, he would renew it again and again, till it should be rendered entirely compleat: But that he was resolved to deprive him of all employments, and to remove him from court. CHAP. LXVII. 1679.

THE commons were no wise satisfied with this concession. They pretended, that no pardon of the crown could be pleaded in bar of an impeachment by the commons. The prerogative of mercy had been hitherto understood to be altogether unlimited in the king; and this pretension of the commons, it must be confessed, was entirely new. It was however not unsuitable to the genius of a monarchy, strictly limited; where the king's ministers are supposed to be for ever accountable to national assemblies, even for such abuses of power as they may commit by orders from their master. The present emergence, while the nation was so highly inflamed, was the proper time for pushing such popular claims; and the commons failed not to avail themselves of this advantage. They still insisted on the impeachment of Danby. The peers, in compliance with them, departed from their former scruples, and ordered Danby to be taken into custody. Danby absconded. The commons passed a bill, appointing him to surrender himself before a certain day, or, in default of it, attainting him. A bill had passed the upper house, mitigating the penalty to banishment; but after some conferences, the peers thought proper to yield to the violence of the commons; and the bill of attainder was carried. Rather than undergo such severe penalties, Danby appeared, and was immediately committed to the Tower.

WHILE a protestant nobleman met with such violent prosecution, it was not likely that the catholics would be over-looked by the zealous commons. The credit of

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1679. Popish plot.

the popish plot still stood upon the oaths of a few infamous witnesses. Though such immense preparations were supposed to have been made in the very bowels of the kingdom, no traces of them, after the most rigorous enquiry, had as yet appeared. Though so many thousands, both abroad and at home, had been engaged in the dreadful secret; neither hope, nor fear, nor remorse, nor levity, nor suspicions, nor private resentment had engaged any one to confirm the evidence. Though the catholics, particularly the jesuits, were represented as guilty of the utmost indiscretion, insomuch that they talked of the king's murder as common news, and wrote of it in plain terms by the common post; yet, among the great number of letters seized, no one contained any part of so complicated a conspiracy. Though the informers pretended, that, even after they had resolved to betray the secret, many treasonable commissions and papers had passed through their hands; they had not had the precaution to keep any one of them, in order to fortify their evidence. But all these difficulties, and a thousand more, were not found too hard of digestion by the nation and parliament. The prosecution and farther discovery of the plot were still the object of general concern. The commons voted, that, if the king should come to an untimely end, they would revenge his death upon the papists; not reflecting that that sect were not his only enemies. They promised rewards to new discoverers; not considering the danger, which they incurred, of granting bribes to perjury. They made Bedloe a present of 500 pounds; and particularly recommended the care of his safety to the duke of Monmouth. Colonel Sackville, a member, having, in a private company, spoken opprobriously of those who affirmed that there was any plot, was expelled the house. The peers gave power to their committees to send for and

examine

examine such as would maintain the innocence of those who had been condemned for the plot. A pamphlet having been published to discredit the informers, and to vindicate the catholic lords in the Tower, these lords were required to discover the author, and thereby to expose their own advocate to prosecution. And both houses concurred in renewing the former vote, that the papists had undoubtedly entered into a *horrid* and *treasonable* conspiracy against the king, the state, and the protestant religion. CHAP. LXVII. 1679.

It must be owned, that this extreme violence, in prosecution of so absurd an imposture, disgraces the noble cause of liberty, in which the parliament was engaged. We may even conclude from such impatience of contradiction, that the prosecutors themselves retained a secret suspicion, that the general belief was but ill grounded. The politicians among them were afraid to let in light, lest it might put an end to so useful a delusion: The weaker and less dishoneſt party took care, by turning their eyes aside, not to see a truth, so opposite to those furious passions, by which they were actuated, and in which they were determined obstinately to persevere.

Sir William Temple had been lately recalled from his foreign employments; and the king, who, after the removal of Danby, had no one with whom he could so much as discourse with freedom of public affairs, was resolved, upon Coventry's dismission, to make him one of his secretaries of state. But that philosophical patriot, too little interested for the intrigues of a court, too full of spleen and delicacy for the noisy turbulence of popular assemblies, was alarmed at the universal discontents and jealousies, which prevailed, and was determined to make his retreat, as soon as possible, from a scene which threatened such confusion. Meanwhile, he could not

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refuse the confidence, with which his master honoured him; and he resolved to employ it to the public service. He represented to the king, that, as the jealousies of the nation were extreme, it was necessary to cure them by some new remedy, and to restore that mutual confidence, so requisite for the safety both of king and people: That to refuse every thing to the parliament in their present disposition, or to yield every thing, was equally dangerous to the constitution as well as to public tranquillity: That if the king would introduce into his councils such men as enjoyed the confidence of his people, fewer concessions would probably be required; or if unreasonable demands were made, the king, under the sanction of such counsellors, might be enabled, with the greater safety, to refuse them: And that the heads of the popular party, being gratified with the king's favour, would probably abate of that violence, by which they endeavoured at present to pay court to the multitude.

New council.

THE king assented to these reasons; and, in concert with Temple, he laid the plan of a new privy-council, without whose advice he declared himself determined for the future to take no measure of importance. This council was to consist of thirty persons, and was never to exceed that number. Fifteen of the chief officers of the crown were to be continued, who, it was supposed, would adhere to the king, and, in case of any extremity, oppose the exorbitancies of faction. The other half of the council was to be composed, either of men of character, detached from the court, or of those who possessed chief credit in both houses. And the king, in filling up the names of his new council, was glad to find, that the members, in land and offices, possessed to the amount of 300,000 pounds a year; a sum nearly equal to the whole property of the house of commons, against whose vio-

lence the new council was intended as a barrier to the throne[b]. CHAP. LXVII.

THIS experiment was tried, and seemed at first to give some satisfaction to the public. The earl of Essex, a nobleman of the popular party, son of that lord Capel who had been beheaded a little after the late king, was created treasurer in place of Danby: The earl of Sunderland, a man of intrigue and capacity, was made secretary of state: Viscount Halifax, a fine genius, possessed of learning, eloquence, industry, but subject to inquietude, and fond of refinements, was admitted into the council. These three, together with Temple, who often joined them, though he kept himself more detached from public business, formed a kind of cabinet council, from which all affairs received their first digestion. Shaftesbury was made president of the council; contrary to the advice of Temple, who foretold the consequence of admitting a man of so dangerous a character into any part of the public administration. 1679.

As Temple foresaw, it happened. Shaftesbury, finding, that he possessed no more than the appearance of court-favour, was resolved still to adhere to the popular party, by whose attachment he enjoyed an undisputed superiority in the lower house, and possessed great influence in the other. The very appearance of court-favour, empty as it was, tended to render him more dangerous. His partizans, observing the progress which

[b] Their names were: Prince Rupert, the archbishop of Canterbury, lord Finch, chancellor, earl of Shaftesbury, president, earl of Anglesea, privy seal, duke of Albemarle, duke of Monmouth, duke of Newcastle, duke of Lauderdale, duke of Ormond, marquess of Winchester, marquess of Worcester, earl of Arlington, earl of Salisbury, earl of Bridgwater, earl of Sunderland, earl of Essex, earl of Bath, viscount Fauconberg, viscount Halifax, bishop of London, lord Robarts, lord Hollis, lord Russel, lord Cavendish, secretary Coventry, Sir Francis North, chief justice, Sir Henry Capel, Sir John Ernley, Sir Thomas Chichely, Sir William Temple, Edward Seymour, Henry Powle.

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he had already made, hoped, that he would ſoon acquire the entire aſcendant; and he conſtantly flattered them, that, if they perſiſted in their purpoſe, the king, from indolence, and neceſſity, and fondneſs for Monmouth, would at laſt be induced, even at the expence of his brother's right, to make them every conceſſion.

BESIDES, the antipathy to popery, as well as jealouſy of the king and duke, had taken too faſt poſſeſſion of men's minds, to be removed by ſo feeble a remedy, as this new council, projected by Temple. The commons, ſoon after the eſtabliſhment of that council, proceeded ſo far as to vote unanimouſly, "That the duke of York's "being a papiſt, and the hopes of his coming to the "crown, had given the higheſt countenance to the "preſent conſpiracies and deſigns of the papiſts againſt "the king and the proteſtant religion." It was expected, that a bill for excluding him the throne would ſoon be brought in. To prevent this bold meaſure, the king concerted ſome limitations, which he propoſed to the parliament. He introduced his plan by the following gracious expreſſions: "And to ſhew you, that, while "you are doing your parts, my thoughts have not been "miſemployed, but that it is my conſtant care to do "every thing, that may preſerve your religion, and "ſecure it for the future in all events, I have com-"manded my lord chancellor to mention ſeveral par-"ticulars; which, I hope, will be an evidence, that, "in all things, which concern the public ſecurity, I "ſhall not follow your zeal, but lead it."

Limitations on a popiſh ſucceſſor.

THE limitations projected were of the utmoſt importance, and deprived the ſucceſſor of the chief branches of royalty. A method was there chalked out, by which the nation, on every new reign, could be enſured of having a parliament, which the king ſhould not, for a certain time, have it in his power to diſſolve. In caſe

of

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of a popiſh ſucceſſor, the prince was to forfeit the right of conferring any eccleſiaſtical preferments: No member of the privy council, no judge of the common law or in chancery, was to be put in or diſplaced but by conſent of parliament: And the ſame precaution was extended to the military part of the government; to the lord lieutenant and deputy lieutenants of the counties, and to all officers of the navy. The chancellor of himſelf added, "It is hard to invent another reſtraint; conſidering how "much the revenue will depend upon the conſent of "parliament, and how impoſſible it is to raiſe money "without ſuch conſent. But yet, if any thing elſe can "occur to the wiſdom of parliament, which may far- "ther ſecure religion and liberty againſt a popiſh ſuc- "ceſſor, without defeating the right of ſucceſſion itſelf, "his majeſty will readily conſent to it."

It is remarkable, that, when theſe limitations were firſt laid before the council, Shafteſbury and Temple were the only members, who argued againſt them. The reaſons, which they employed, were diametrically oppoſite. Shafteſbury's opinion was, that the reſtraints were inſufficient; and that nothing but the total excluſion of the duke could give a proper ſecurity to the kingdom. Temple on the other hand thought, that the reſtraints were ſo rigorous as even to ſubvert the conſtitution; and that ſhackles, put upon a popiſh ſucceſſor, would not afterwards be eaſily caſt off by a proteſtant. It is certain, that the duke was extremely alarmed when he heard of this ſtep taken by the king, and that he was better pleaſed even with the bill of excluſion itſelf, which, he thought, by reaſon of its violence and injuſtice, could never poſſibly be carried into execution. There is alſo reaſon to believe, that the king would not have gone ſo far, had he not expected, from the extreme fury of the commons, that his conceſſions would be rejected, and

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that the blame of not forming a reasonable accommodation would by that means lie entirely at their door.

It soon appeared, that Charles had entertained a just opinion of the disposition of the house. So much were the commons actuated by the cabals of Shaftesbury and other malcontents; such violent antipathy prevailed against popery, that the king's concessions, though much more important than could reasonably have been expected, were not embraced. A bill was brought in for the total exclusion of the duke from the crown of England and Ireland. It was declared that the sovereignty of these kingdoms, upon the king's death or resignation, should devolve to the person next in succession after the duke; that all acts of royalty, which that prince should afterwards perform, should not only be void, but be deemed treason; that if he so much as entered any of these dominions, he should be deemed guilty of the same offence; and that all who supported his title, should be punished as rebels and traitors. This important bill, which implied banishment as well as exclusion, passed the lower house by a majority of seventy-nine.

Bill of exclusion.

The commons were not so wholly employed about the exclusion-bill as to overlook all other securities to liberty. The country party, during all the last parliament, had exclaimed much against the bribery and corruption of the members; and the same reproach had been renewed against the present parliament. An enquiry was made into a complaint, which was so dangerous to the honour of that assembly; but very little foundation was found for it. Sir Stephen Fox, who was the pay-master, confessed to the house, that nine members received pensions to the amount of three thousand four hundred pounds: And after a rigorous enquiry by a secret committee, eight more pensioners were discovered. A sum also, about twelve thousand pounds, had been occasionally given or

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lent to others. The writers of that age pretend, that Clifford and Danby had adopted oppoſite maxims with regard to pecuniary influence. The former endeavoured to gain the leaders and orators of the houſe, and deemed the others of no conſequence. The latter thought it ſufficient to gain a majority, however compoſed. It is likely, that the means, rather than the intention, were wanting to both theſe miniſters. CHAP. LXVII. 1679.

PENSIONS and bribes, though it be difficult entirely to exclude them, are dangerous expedients for government; and cannot be too carefully guarded againſt, nor too vehemently decried by every one who has a regard to the virtue and liberty of a nation. The influence, however, which the crown acquires from the diſpoſal of places, honours, and preferments, is to be eſteemed of a different nature. This engine of power may become too forcible, but it cannot altogether be aboliſhed, without the total deſtruction of monarchy, and even of all regular authority. But the commons at this time were ſo jealous of the crown, that they brought in a bill, which was twice read, excluding from the lower houſe all who poſſeſſed any lucrative office.

THE ſtanding army and the king's guards were by the commons voted to be illegal: A new pretenſion, it muſt be confeſſed; but neceſſary for the full ſecurity of liberty and a limited conſtitution.

ARBITRARY impriſonment is a grievance, which, in ſome degree, has place almoſt in every government, except in that of Britain; and our abſolute ſecurity from it we owe chiefly to the preſent parliament; a merit, which makes ſome atonement for the faction and violence, into which their prejudices had, in other particulars, betrayed them. The great charter had laid the foundation of this valuable part of liberty; the petition of right had renewed and extended it; but ſome proviſions were ſtill wanting, Habeas corpus bill.

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wanting, to render it complete, and prevent all evaſion or delay from miniſters and judges. The act of *habeas corpus*, paſſed this ſeſſion, ſerved theſe purpoſes. By this act, it was prohibited to ſend any one to a priſon beyond ſea. No judge, under ſevere penalties, muſt refuſe to any priſoner a writ of *habeas corpus*, by which the gaoler was directed to produce in court the body of the priſoner (whence the writ has its name) and to certify the cauſe of his detainer and impriſonment. If the gaol lay within twenty miles of the judge, the writ muſt be obeyed in three days; and ſo proportionably for greater diſtances: Every priſoner muſt be indicted the firſt term after his commitment, and brought to trial in the ſubſequent term. And no man, after being enlarged by order of court, can be recommitted for the ſame offence. This law ſeems neceſſary for the protection of liberty in a mixed monarchy; and as it has not place in any other form of government, this conſideration alone may induce us to prefer our preſent conſtitution to all others. It muſt, however, be confeſſed, that there is ſome difficulty to reconcile with ſuch extreme liberty the full ſecurity of government and the regular police of a ſtate, eſpecially that of great cities.

DURING theſe zealous efforts for the protection of liberty, no complaiſance for the crown was diſcovered by this parliament. The king's revenue lay under great debts and anticipations: Thoſe branches, granted in the years 1669 and 1670, were ready to expire: And the fleet was repreſented by the king to be in great decay and diſorder. But the commons, inſtead of being affected by theſe diſtreſſes of the crown, truſted chiefly to them for paſſing the excluſion-bill, and for puniſhing and diſplacing all the miniſters, who were obnoxious to them. They were therefore in no haſte to relieve the king; and grew only the more aſſuming on account of his complaints

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and uneaſineſs. Jealous however of the army, they granted the ſame ſum of 206,000 pounds, which had been voted for diſbanding it by the laſt parliament; though the vote, by reaſon of the ſubſequent prorogation and diſſolution, joined to ſome ſcruples of the lords, had not been carried into an act. This money was appropriated by very ſtrict clauſes; but the commons inſiſted not as formerly upon its being paid into the chamber of London.

THE impeachment of the five popiſh lords in the Tower, with that of the earl of Danby, was carried on with vigour. The power of this miniſter and his credit with the king, rendered him extremely obnoxious to the popular leaders; and the commons hoped, that, if he were puſhed to extremity, he would be obliged, in order to juſtify his own conduct, to lay open the whole intrigue of the French alliance, which they ſuſpected to contain a ſecret of the moſt dangerous nature. The king, on his part, apprehenſive of the ſame conſequences, and deſirous to protect his miniſter, who was become criminal merely by obeying orders, employed his whole intereſt to ſupport the validity of that pardon, which had been granted him. The lords appointed a day for the examination of this queſtion, and agreed to hear council on both ſides: But the commons would not ſubmit their pretenſions to the diſcuſſion of argument and enquiry. They voted, that whoever ſhould preſume, without their leave, to maintain before the houſe of peers the validity of Danby's pardon, ſhould be accounted a betrayer of the liberties of the Engliſh commons. And they made a demand, that the biſhops, whom they knew to be devoted to the court, ſhould be removed, not only when the trial of the earl ſhould commence, but alſo when the validity of his pardon ſhould be diſcuſſed.

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THE biſhops before the reformation had always enjoyed a ſeat in parliament: But ſo far were they antiently from regarding that dignity as a privilege, that they affected rather to form a ſeparate order in the ſtate, independant of the civil magiſtrate, and accountable only to the pope and to their own order. By the conſtitutions, however, of Clarendon, enacted during the reign of Henry II. they were obliged to give their preſence in parliament; but as the canon law prohibited them from aſſiſting in capital trials, they were allowed in ſuch caſes the privilege of abſenting themſelves. A practice, which was at firſt voluntary, became afterwards a rule; and on the earl of Strafford's trial, the biſhops, who would gladly have attended, and who were no longer bound by the canon law, were yet obliged to withdraw. It had been uſual for them to enter a proteſt, aſſerting their right to ſit; and this proteſt, being conſidered as a mere form, was always admitted and diſregarded. But here was ſtarted a new queſtion of no ſmall importance. The commons, who were now enabled, by the violence of the people, and the neceſſities of the crown, to make new acquiſitions of powers and privileges, inſiſted, that the biſhops had no more title to vote in the queſtion of the earl's pardon than in the impeachment itſelf. The biſhops aſſerted, that the pardon was merely a preliminary; and that, neither by the canon law nor the practice of parliament, were they ever obliged, in capital caſes, to withdraw till the very commencement of the trial itſelf. If their abſence was conſidered as a privilege, which was its real origin, it depended on their own choice, how far they would inſiſt upon it. If regarded as a diminution of their right of peerage, ſuch unfavourable cuſtoms ought never to be extended beyond the very circumſtance eſtabliſhed by them; and all arguments, from a pre-

a pretended parity of reaſon, were in that caſe of little or no authority. CHAP. LXVII.

THE houſe of lords was ſo much influenced by theſe reaſons, that they admitted the biſhops' right to vote, when the validity of the pardon ſhould be examined. The commons inſiſted ſtill on their withdrawing; and thus a quarrel being commenced between the two houſes, the king, who expected nothing but freſh inſtances of violence from this parliament, began to entertain thoughts of laying hold of ſo favourable a pretence, and of finiſhing the ſeſſion by a prorogation. While in this diſpoſition, he was alarmed with ſudden intelligence, that the houſe of commons was preparing a remonſtrance, in order to inflame the nation ſtill farther upon the favourite topics of the plot and of popery. He haſtened, therefore, to execute his intention, even without conſulting his new council, by whoſe advice he had promiſed to regulate his whole conduct. And thus were diſappointed all the projects of the malcontents, who were extremely enraged at this vigorous meaſure of the king's. Shafteſbury publicly threatened, that he would have the head of whoever had adviſed it. The parliament was ſoon after diſſolved without advice of council; and writs were iſſued for a new parliament. The king was willing to try every means, which gave a proſpect of more compliance in his ſubjects; and, in caſe of failure, the blame, he hoped, would lie on thoſe whoſe obſtinacy forced him to extremities.

1679.

27th May.

Prorogation and diſſolution of the parliament. 10th July.

BUT even during the receſs of parliament, there was no interruption to the proſecution of the catholics accuſed of the plot: The king found himſelf obliged to give way to this popular fury. Whitebread, provincial of the jeſuits, Fenwic, Gavan, Turner, and Harcourt, all of them of the ſame order, were firſt brought to their trial. Beſides Oates and Bedloe, Dugdale, a new witneſs, appeared againſt the priſoners. This man had been ſteward

Trial and execution of the five jeſuits.

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ard to lord Aſton, and, though poor, poſſeſſed a character ſomewhat more reputable than the other two: But his account of the intended maſſacres and aſſaſſinations was equally monſtrous and incredible. He even aſſerted, that 200,000 papiſts in England were ready to take arms. The priſoners proved by ſixteen witneſſes from St. Omers, ſtudents and moſt of them young men of family, that Oates was in that ſeminary, at the time when he ſwore that he was in London: But as they were catholics and diſciples of the jeſuits, their teſtimony, both with the judges and jury, was totally diſregarded. Even the reception, which they met with in court, was full of outrage and mockery. One of them ſaying, that Oates always continued at St. Omers, if he could believe his ſenſes: "You papiſts," ſaid the chief juſtice, "are "taught not to believe your ſenſes." It muſt be confeſſed, that Oates, in oppoſition to the ſtudents of St. Omers, found means to bring evidence of his having been at that time in London: But this evidence, though it had, at the time, the appearance of ſome ſolidity, was afterwards diſcovered, when Oates himſelf was tried for perjury, to be altogether deceitful. In order farther to diſcredit that witneſs, the jeſuits proved by undoubted teſtimony, that he had perjured himſelf in father Ireland's trial, whom they ſhewed to have been in Staffordſhire at the very time when Oates ſwore, that he was committing treaſon in London. But all theſe pleas availed them nothing againſt the general prejudices. They received ſentence of death; and were executed, perſiſting to their laſt breath in the moſt ſolemn, earneſt, and deliberate, though diſregarded, proteſtations of their innocence.

And of Langhorne.

THE next trial was that of Langhorne, an eminent lawyer, by whom all the concerns of the jeſuits were managed. Oates and Bedloe ſwore, that all the papal commiſſions by which the chief offices in England were filled

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filled with catholics, paſſed through his hands. When verdict was given againſt the priſoner, the ſpectators expreſſed their ſavage joy by loud acclamations. So high indeed had the popular rage mounted, that the witneſſes for this unhappy man, on approaching the court, were almoſt torne in pieces by the rabble: One in particular was bruiſed to ſuch a degree, as to put his life in danger. And another, a woman, declared, that, unleſs the court could afford her protection, ſhe durſt not give evidence: But as the judges could go no farther than promiſe to puniſh ſuch as ſhould do her any injury, the priſoner himſelf had the humanity to wave her teſtimony.

So far the informers had proceeded with ſucceſs: Their accuſation was hitherto equivalent to a ſentence of death. The firſt check, which they received, was on the trial of Sir George Wakeman, the queen's phyſician, whom they accuſed of an intention to poiſon the king. It was a ſtrong circumſtance in favour of Wakeman, that Oates, in his firſt information before the council, had accuſed him only upon hearſay; and when aſked by the chancellor, whether he had any thing farther to charge him with, he added, "God forbid I ſhould ſay any thing "againſt Sir George: For I know nothing more againſt "him." On the trial he gave poſitive evidence of the priſoner's guilt. There were many other circumſtances which favoured Wakeman: But what chiefly contributed to his acquittal, was the connexion of his cauſe with that of the queen, whom no one, even during the higheſt prejudices of the times, could ſincerely believe guilty. The great importance of the trial made men recollect themſelves, and recall that good ſenſe and humanity, which ſeemed, during ſome time, to have abandoned the nation. The chief juſtice himſelf, who had hitherto favoured the witneſſes, exaggerated the plot, and railed againſt the priſoners, was obſerved to be conſiderably mollified, and

Wakeman acquitted. 18th July.

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to give a favourable charge to the jury. Oates and Bedloe had the assurance to attack him to his face, and even to accuse him of partiality before the council. The whole party, who had formerly much extolled his conduct, now made him the object of their resentment. Wakeman's acquittal was indeed a sensible mortification to the furious prosecutors of the plot, and fixed an indelible stain upon the witnesses. But Wakeman, after he recovered his liberty, finding himself exposed to such inveterate enmity, and being threatened with farther prosecutions, thought it prudent to retire beyond sea: And his flight was interpreted as a proof of guilt, by those who were still resolved to persist in the belief of the conspiracy.

State of affairs in Scotland.

THE great discontents in England, and the refractory disposition of the parliament, excited the hopes of the Scottish covenanters, and gave them some prospect of putting an end to those oppressions, under which they had so long laboured. It was suspected to have been the policy of Lauderdale and his associates to push these unhappy men to extremities, and force them into rebellion, with a view of reaping profit from the forfeitures and attainders, which would ensue upon it. But the covenanters, aware of this policy, had hitherto forborne all acts of hostility; and that tyrannical minister had failed of his purpose. An incident at last happened, which brought on an insurrection in that country.

THE covenanters were much enraged against Sharpe, the primate, whom they considered as an apostate from their principles, and whom they experienced to be an unrelenting persecutor of all those who dissented from the established worship. He had an officer under him, one Carmichael, no less zealous than himself against conventicles, and who by his violent prosecutions had rendered himself extremely obnoxious to the fanatics. A company of

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of these had way-laid him on the road near St. Andrews, with an intention, if not of killing him, at least of chastizing him so severely as would afterwards render him more cautious in persecuting the nonconformists [c]. While looking out for their prey, they were surprized at seeing the archbishop's coach pass by; and they immediately interpreted this incident as a declaration of the secret purpose of Providence against him. But when they observed, that almost all his servants, by some accident, were absent, they no longer doubted, but heaven had here delivered their capital enemy into their hands. Without farther deliberation, they fell upon him; dragged him from his coach; tore him from the arms of his daughter, who interposed with cries and tears; and piercing him with redoubled wounds, left him dead on the spot, and immediately dispersed themselves.

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THIS atrocious action served the ministry as a pretence for a more violent persecution against the fanatics, on whom, without distinction, they threw the guilt of those furious assassins. It is indeed certain, that the murder of Sharpe had excited an universal joy among the covenanters, and that their blind zeal had often led them, in their books and sermons, to praise and recommend the assassination of their enemies, whom they considered as the enemies of all true piety and godliness. The stories of Jael and Sisera, of Ehud and Eglon, resounded from every pulpit. The officers, quartered in the west, received more strict orders to find out and disperse all conventicles; and for that reason the covenanters, instead of meeting in small bodies, were obliged to celebrate their worship in numerous assemblies, and to bring arms for their security. At Rutherglen, a small borough near Glasgow, they openly set forth a declaration against pre-

[c] Wodrow's history of the sufferings of the church of Scotland, vol. ii. p. 28.

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lacy; and in the market-place burned ſeveral acts of parliament and acts of council, which had eſtabliſhed that mode of eccleſiaſtical government, and had prohibited conventicles. For this inſult on the ſupreme authority, they purpoſely choſe the 29th of May, the anniverſary of the reſtoration; and previouſly extinguiſhed the bonfires, which had been kindled for that ſolemnity.

CAPTAIN Graham, afterwards viſcount Dundee, an active and enterprizing officer, attacked a great conventicle upon Loudon-hill, and was repulſed with the loſs of thirty men. The covenanters, finding that they were unwarily involved in ſuch deep guilt, were engaged to perſevere, and to ſeek, from their valour and fortune alone, for that indemnity, which the ſeverity of the government left them no hopes of ever being able otherwiſe to obtain. They puſhed on to Glaſgow; and though at firſt repulſed, they afterwards made themſelves maſters of that city; diſpoſſeſſed the eſtabliſhed clergy; and iſſued proclamations, in which they declared, that they fought againſt the king's ſupremacy, againſt popery and prelacy, and againſt a popiſh ſucceſſor.

How accidental ſoever this inſurrection might appear, there is reaſon to ſuſpect, that ſome great men, in combination with the popular leaders in England, had ſecretly inſtigated the covenanters to proceed to ſuch extremities[d], and hoped for the ſame effects that had forty years before enſued from the diſorders in Scotland. The king alſo, apprehenſive of like conſequences, immediately diſpatched Monmouth with a ſmall body of Engliſh cavalry. He joined the Scottiſh guards, and ſome regiments of militia, levied from the well affected counties; and with great celerity marched towards the weſt in queſt of the rebels. They had taken poſt at Bothwel-bridge between Hamilton and Glaſgow; where there was no acceſs to them but

Battle of Bothwel-bridge.

[d] Algernon Sidney's letters, p. 90.

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over the bridge, which a ſmall body was able to defend againſt the king's forces. They ſhewed judgment in the choice of their poſt; but diſcovered neither judgment nor valour in any other ſtep of their conduct. No nobility and few gentry had joined them: The clergy were in reality the generals; and the whole army never exceeded 8000 men. Monmouth attacked the bridge; and the body of rebels, who defended it, maintained their poſt, as long as their ammunition laſted. When they ſent for more, they received orders to quit their ground, and to retire backwards. This imprudent meaſure occaſioned an immediate defeat to the covenanters. Monmouth paſſed the bridge without oppoſition, and drew up his forces, oppoſite to the enemy. His cannon alone put them to rout. About 700 fell in the purſuit: For properly ſpeaking there was no action. Twelve hundred were taken priſoners; and were treated by Monmouth with a humanity, which they had never experienced in their own countrymen. Such of them as would promiſe to live peaceably were diſmiſſed. About three hundred, who were ſo obſtinate as to refuſe this eaſy condition, were ſhipped for Barbadoes; but unfortunately periſhed in the voyage. Two of their clergy were hanged. Monmouth was of a generous diſpoſition; and beſides, aimed at popularity in Scotland. The king intended to intruſt the government of that kingdom into his hands. He had married a Scotch lady, heir of a great family, and allied to all the chief nobility. And Lauderdale, as he was now declining in his parts, and was much decayed in his memory, began to loſe with the king that influence, which he had maintained during ſo many years; notwithſtanding the efforts of his numerous enemies both in Scotland and England, and notwithſtanding the many violent and tyrannical actions, of which he had been guilty. Even at preſent he retained ſo much influence as to poi-

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ſon all the good intentions, which the king, either of himſelf or by Monmouth's ſuggeſtion, had formed with regard to Scotland. An act of indemnity was granted; but Lauderdale took care, that it ſhould be ſo worded as rather to afford protection to himſelf and his aſſociates, than to the unhappy covenanters. And though orders were given to connive thenceforwards at all conventicles, he found means, under a variety of pretences, to elude the execution of them. It muſt be owned however to his praiſe, that he was the chief perſon, who, by his counſel, occaſioned the expeditious march of the forces and the prompt orders given to Monmouth; and thereby diſappointed all the expectations of the Engliſh malcontents, who, reflecting on the diſpoſition of men's minds in both kingdoms, had entertained great hopes from the progreſs of the Scottiſh inſurrection.

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State of parties —— State of the miniſtry —— Meal-tub plot —— Whig and Tory —— A new parliament —— Violence of the commons —— Excluſion-bill —— Arguments for and againſt the excluſion —— Excluſion bill rejected —— Trial of Stafford —— His execution —— Violence of the commons —— Diſſolution of the parliament —— New parliament at Oxford —— Fitzharris's caſe —— Parliament diſſolved —— Victory of the royaliſts.

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THE king, obſerving that the whole nation concurred at firſt in the belief and proſecution of the popiſh plot, had found it requiſite for his own ſafety to pretend, in all public ſpeeches and tranſactions, an entire belief and acquieſcence in that famous abſurdity, and by this artifice he had eluded the violent and irreſiſtible torrent of the people. When a little time and recollection, as well as the execution of the pretended conſpirators, had ſomewhat moderated the general fury, he was now enabled to form a conſiderable party, devoted to the intereſts of the crown, and determined to oppoſe the pretenſions of the malcontents. State of parties.

IN every mixed government, ſuch as that of England, the bulk of the nation will always incline to preſerve the entire frame of the conſtitution; but according to the various prejudices, intereſts, and diſpoſitions of men, ſome will ever attach themſelves with more paſſion to the regal, others to the popular part of the government. Though the king, after his reſtoration, had endeavoured

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to abolish the distinction of parties, and had chosen his ministers from among all denominations; no sooner had he lost his popularity, and exposed himself to general jealousy, than he found it necessary to court the old cavalier party, and to promise them full compensation for that neglect, of which they had hitherto complained. The present emergence made it still more necessary for him to apply for their support; and there were many circumstances, which determined them, at this time, to fly to the assistance of the crown, and to the protection of the royal family.

A PARTY, strongly attached to monarchy, will naturally be jealous of the right of succession, by which alone, they believe, stability to be preserved in the government, and a barrier fixed against the encroachments of popular assemblies. The project, openly embraced, of excluding the duke, appeared to that party a dangerous innovation: And the design, secretly projected, of advancing Monmouth, made them apprehensive, lest the inconveniencies of a disputed succession should be propagated to all posterity. While the jealous lovers of liberty maintained, that a king, whose title depended on the parliament, would naturally be more attentive to the interests and humours of the people; the passionate admirers of monarchy considered this dependance as a degradation of kingly government, and a great step towards the establishment of a commonwealth in England.

BUT though his union with the political royalists brought great accession of force to the king, he derived no less support from the confederacy, which he had, at this time, the address to form with the church of England. He represented to the ecclesiastics the great number of presbyterians and other sectaries, who had entered into the popular party; the encouragement and favour which they met with; the loudness of their cries with

regard

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regard to popery and arbitrary power. And he made the eſtabliſhed clergy and their adherents apprehend, that the old ſcheme for the abolition of prelacy as well as monarchy was revived, and that the ſame miſeries and oppreſſions awaited them, to which, during the civil wars and uſurpations, they had ſo long been expoſed.

THE memory alſo of theſe diſmal times united many indifferent and impartial perſons to the crown, and begat a dread, leſt the zeal for liberty ſhould engraft itſelf on fanaticiſm, and ſhould once more kindle a civil war in the kingdom. Had not the king ſtill retained the prerogative of diſſolving the parliament, there was indeed reaſon to apprehend the renewal of all the pretenſions and violences, which had uſhered in the laſt commotions. The one period appeared an exact counter-part to the other: But ſtill diſcerning judges could perceive, both in the ſpirit of the parties and in the genius of the prince, a material difference; by means of which Charles was enabled at laſt, though with the imminent peril of liberty, to preſerve the peace of the nation.

THE cry againſt popery was loud; but it proceeded leſs from religious than from party zeal, in thoſe who propagated, and even in thoſe who adopted it. The ſpirit of enthuſiaſm had occaſioned ſo much miſchief, and had been ſo ſucceſsfully exploded, that it was not poſſible, by any artifice, again to revive and ſupport it. Cant had been ridiculed; hypocriſy detected; the pretenſions to a more thorough reformation, and to greater purity, had become ſuſpicious; and inſtead of denominating themſelves the *godly* party, the appellation affected at the beginning of the civil wars, the preſent patriots were content with calling themſelves the *good* and the *honeſt* party [c]: A ſure prognoſtic, that their meaſures were not to be ſo furious, nor their pretenſions ſo exorbitant.

[c] Temple, vol. i. p. 335.

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THE king too, though not endowed with the integrity and ſtrict principles of his father, was happy in a more amiable manner, and more popular addreſs. Far from being diſtant, ſtately, or reſerved, he had not a grain of pride or vanity in his whole compoſition [f]; but was the moſt affable, beſt bred man alive. He treated his ſubjects like noblemen, like gentlemen, like freemen; not like vaſſals or boors. His profeſſions were plauſible, his whole behaviour engaging; ſo that he won upon the hearts, even while he loſt the good opinion of his ſubjects, and often balanced their judgment of things by their perſonal inclination [g]. In his public conduct likewiſe, though he had ſometimes embraced meaſures dangerous to the liberty and religion of his people, he had never been found to perſevere obſtinately in them, but had always returned into that path, which their united opinion ſeemed to point out to him. And upon the whole, it appeared to many cruel and even iniquitous, to remark too rigorouſly the failings of a prince, who diſcovered ſo much facility in correcting his errors, and ſo much lenity in pardoning the offences committed againſt himſelf.

The general affection, borne the king, appeared ſignally about this time. He fell ſick at Windſor; and had two or three fits of a fever, ſo violent as made his life be thought in danger. A general amazement ſeized all ranks of men, encreaſed by the apprehenſions entertained of his ſucceſſor. In the preſent diſpoſition of men's minds, the king's death, to uſe an expreſſion of ſir William Temple [h], was regarded as the end of the world. The malcontents, it was feared, would proceed to extremities, and immediately kindle a civil war in the kingdom. Either their entire ſucceſs, or entire

[f] Temple, vol. i. p. 449.
[g] Diſſertation on parties, letter vi.
[h] Vol. i. p. 342.

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1679.

State of the miniſtry.

failure, or even the balance and conteſt of parties, ſeemed all of them events equally fatal. The king's chief counſellors, therefore, Eſſex, Halifax, and Sunderland, who ſtood on bad terms with Shafteſbury and the popular party, adviſed him to ſend ſecretly for the duke, that, in caſe of any ſiniſter accident, that prince might be ready to aſſert his right againſt the oppoſition, which he was likely to meet with. When the duke arrived, he found his brother out of danger; and it was agreed to conceal the invitation, which he had received. His journey, however, was attended with important conſequences. He prevailed on the king to diſgrace Monmouth, whoſe projects were now known and avowed; to deprive him of his command in the army; and to ſend him beyond ſea. He himſelf returned to Bruſſels; but made a ſhort ſtay in that place. He obtained leave to retire to Scotland, under pretence ſtill of quieting the apprehenſions of the Engliſh nation; but in reality with a view of ſecuring that kingdom in his intereſts. 2d Sept.

THOUGH Eſſex and Halifax had concurred in the reſolution of inviting over the duke, they ſoon found, that they had not obtained his confidence, and that even the king, while he made uſe of their ſervice, had no ſincere regard for their perſons. Eſſex in diſguſt reſigned the treaſury: Halifax retired to his country-ſeat: Temple, deſpairing of any accommodation among ſuch enraged parties, withdrew almoſt entirely to his books and his gardens. The king, who changed miniſters as well as meaſures with great indifference, beſtowed at this time his chief confidence on Hyde, Sunderland, and Godolphin. Hyde ſucceeded Eſſex in the treaſury.

ALL the king's miniſters, as well as himſelf, were extremely averſe to the meeting of the new parliament, which they expected to find as refractory as any of the preceding. The elections had gone moſtly in favour of the

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the country party. The terrors of the plot had ſtill a mighty influence over the populace; and the apprehenſions of the duke's bigoted principles and arbitrary character weighed with men of ſenſe and reflection. The king therefore reſolved to prorogue the parliament, that he might try, whether time would allay thoſe humours, which, by every other expedient, he had in vain attempted to mollify. In this meaſure he did not expect the concurrence of his council. He knew, that thoſe popular leaders, whom he had admitted, would zealouſly oppoſe a reſolution, which diſconcerted all their ſchemes; and that the royaliſts would not dare, by ſupporting it, to expoſe themſelves to the vengeance of the parliament, when it ſhould be aſſembled. Theſe reaſons obliged him to take this ſtep entirely of himſelf; and he only declared his reſolution in council. It is remarkable, that, though the king had made profeſſion never to embrace any meaſure without the advice of theſe counſellors, he had often broken that reſolution, and had been neceſſitated, in affairs of the greateſt conſequence, to controul their opinion. Many of them in diſguſt threw up about this time; particularly lord Ruſſel, the moſt popular man in the nation, as well from the mildneſs and integrity of his character, as from his zealous attachment to the religion and liberties of his country. Though carried into ſome exceſſes, his intentions were ever eſteemed upright; and being heir to the moſt opulent fortune in the kingdom, as well as void of ambition, men believed, that nothing but the laſt neceſſity could ever engage him to embrace any deſperate meaſures. Shafteſbury, who was in moſt particulars, of an oppoſite character, was removed by the king from the office of preſident of the council; and the earl of Radnor, a man who poſſeſſed whimſical talents and ſplenetic virtues, was ſubſtituted in his place.

It

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It was the favour and countenance of the parliament, which had chiefly encouraged the rumour of plots; but the nation had got so much into that vein of credulity, and every necessitous villain was so much incited by the success of Oates and Bedloe, that, even during the prorogation, the people were not allowed to remain in tranquillity. There was one Dangerfield, a fellow who had been burned in the hand for crimes, transported, whipped, pilloried four times, fined for cheats, outlawed for felony, convicted of coining, and exposed to all the public infamy, which the laws could inflict on the basest and most shameful enormities. The credulity of the people, and the humour of the times enabled even this man to become a person of consequence. He was the author of a new incident, called the *meal-tub-plot*, from the place where some papers, relating to it, were found. The bottom of this affair it is difficult, and not very material, to discover. It only appears, that Dangerfield, under pretence of betraying the conspiracies of the presbyterians, had been countenanced by some catholics of condition, and had even been admitted to the duke's presence and the king's. And that under pretence of revealing new popish plots, he had obtained access to Shaftesbury and some of the popular leaders. Which side he intended to cheat, is uncertain; or whether he did not rather mean to cheat both: But he soon found, that the belief of the nation was more open to a popish than a presbyterian plot; and he resolved to strike in with the prevailing humour. Though no weight could be laid on his testimony, great clamour was raised; as if the court, by way of retaliation, had intended to load the presbyterians with the guilt of a false conspiracy. It must be confessed, that the present period, by the prevalence and suspicion of such mean and ignoble arts on all sides, throws a great stain on the British annals.

Meal-tub-plot.

One

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1679. 17th Nov.

ONE of the most innocent artifices, practised by party-men at this time, was the additional ceremony, pomp, and expence, with which a pope-burning was celebrated in London: The spectacle served to entertain, and amuse, and enflame the populace. The duke of Monmouth likewise came over without leave, and made a triumphant procession through many parts of the kingdom, extremely caressed and admired by the people. All these arts seemed requisite to support the general prejudices, during the long interval of parliament. Great endeavours were also used to obtain the king's consent for the meeting of that

1680. assembly. Seventeen peers presented a petition to this purpose. Many of the corporations imitated the example. Notwithstanding several marks of displeasure, and even a menacing proclamation from the king, petitions came from all parts, earnestly insisting on a session of parliament. The danger of popery, and the terrors of the plot were never forgot in any of these addresses.

TUMULTUOUS petitioning was one of the chief artifices, by which the malcontents in the last reign had attacked the crown: And though the manner of subscribing and delivering petitions was now somewhat regulated by act of parliament, the thing itself still remained; and was an admirable expedient for infesting the court, for spreading discontent, and for uniting the nation in any popular clamour. As the king found no law, by which he could punish those importunate, and, as he esteemed them, undutiful solicitations, he was obliged to encounter them by popular applications of a contrary tendency. Wherever the church and court party prevailed, addresses were framed, containing expressions of the highest regard to his majesty, the most entire acquiescence in his wisdom, the most dutiful submission to his prerogative, and the deepest *abhorrence* of those, who endeavoured to encroach on it, by prescribing to him any

time

time for assembling the parliament. Thus the nation came to be distinguished into *petitioners* and *abhorrers*. Factions indeed were at this time extremely animated against each other. The very names, by which each party denominated its antagonist, discover the virulence and rancour, which prevailed. For besides petitioner and abhorrer, appellations which were soon forgot, this year is remarkable for being the epoch of the well-known epithets of WHIG and TORY, by which, and sometimes without any material difference, this island has been so long divided. The court party reproached their antagonists with their affinity to the fanatical conventiclers in Scotland, who were known by the name of whigs: The country party found a resemblance between the courtiers and the popish banditti in Ireland, to whom the appellation of tory was affixed. And after this manner, these foolish terms of reproach came into public and general use; and even at present seem not nearer their end than when they were first invented.

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Whig and tory.

The king used every art to encourage his partizans, and to reconcile the people to his government. He persevered in the great zeal which he affected against popery. He even allowed several priests to be put to death, for no other crime than their having received orders in the Romish church. It is singular, that one of them, called Evans, was playing at tennis, when the warrant for his immediate execution was notified to him: He swore, that he would play out his set first. Charles, with the same view of acquiring popularity, formed an alliance with Spain, and also offered an alliance to Holland: But the Dutch, terrified with the great power of France, and seeing little resource in a country so distracted as England, declined acceptance. He had sent for the duke from Scotland, but desired him to return, when the time of assembling the parliament began to approach.

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It was of great conſequence to the popular party, while the meeting of parliament depended on the king's will, to keep the law, whoſe operations are perpetual, entirely on their ſide. The ſheriffs of London by their office return the juries: It had been uſual for the mayor to nominate one ſheriff by drinking to him; and the common hall had ever without diſpute confirmed the mayor's choice. Sir Robert Clayton, the mayor, named one who was not acceptable to the popular party: The common-hall rejected him; and Bethel and Corniſh, two independants, and republicans, and of conſequence deeply engaged with the malcontents, were choſen by a majority of voices. In ſpite of all remonſtrances and oppoſition, the citizens perſiſted in their choice; and the court party was obliged for the preſent to acquieſce.

Juries however were not ſo partial in the city; but that reaſon and juſtice, even when the popiſh plot was in queſtion, could ſometimes prevail. The earl of Caſtlemaine, huſband to the dutcheſs of Cleveland, was acquitted about this time, though accuſed by Oates and Dangerfield of an intention to aſſaſſinate the king. Sir Thomas Gaſcoigne, a very aged gentleman in the north, being accuſed by two ſervants, whom he had diſmiſſed for diſhoneſty, received a like verdict. Theſe trials were great blows to the plot, which now began to ſtagger, in the judgment of moſt men, except thoſe who were entirely devoted to the country party. But in order ſtill to preſerve alive the zeal againſt popery, the earl of Shafteſbury appeared in Weſtminſter-hall, attended by the earl of Huntingdon, the lords Ruſſel, Cavendiſh, Grey, Brandon, Sir Henry Caverly, Sir Gilbert Gerrard, Sir William Cooper, and other perſons of diſtinction, and preſented to the grand jury of Middleſex reaſons for indicting the duke of York as a popiſh recuſant. While the jury were deliberating on this extraordinary

23d June.

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presentment, the chief justice sent for them, and suddenly, even somewhat irregularly, dismissed them. Shaftesbury however obtained the end, for which he had undertaken this bold measure: He showed to all his followers the desperate resolution, which he had embraced, never to admit of any accommodation or composition with the duke. By such daring conduct he gave them assurance, that he was fully determined not to desert their cause; and he engaged them to a like devoted perseverance in all the measures, which he should suggest to them.

As the kingdom was regularly and openly divided into two zealous parties, it was not difficult for the king to know, that the majority of the new house of commons was engaged in interests opposite to the court: But that he might leave no expedient untried, which could compose the unhappy differences among his subjects, he resolved, at last, after a long interval, to assemble the parliament. In his speech, he told them, that the several prorogations, which he had made, had been very advantageous to his neighbours, and very useful to himself: That he had employed that interval in perfecting with the crown of Spain an alliance, which had been often desired by former parliaments, and which, he doubted not, would be extremely agreeable to them: That, in order to give weight to this measure, and render it beneficial to Christendom, it was necessary to avoid all domestic dissensions, and to unite themselves firmly in the same views and purposes: That he was determined, that nothing on his part should be wanting to such a salutary end; and provided the succession were preserved in its due and legal course, he would concur in any expedient for the security of the protestant religion: That the farther examination of the popish plot and the punishment of the criminals were requisite for the safety both

21st Octob. A new parliament.

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1680.

both of king and kingdom: And after recommending to them the neceſſity of providing, by ſome ſupplies, for the ſafety of Tangiers, he proceeded in theſe words: "But that which I value above all the treaſure in the "world, and which I am ſure will give us greater "ſtrength and reputation both at home and abroad than "any treaſure can do, is a perfect union among our-"ſelves. Nothing but this can reſtore the kingdom to "that ſtrength and vigour which it ſeems to have loſt, "and raiſe us again to that conſideration, which Eng-"land hath uſually poſſeſſed. All Europe have their "eyes upon this aſſembly, and think their own happi-"neſs and miſery, as well as ours, will depend upon it. "If we ſhould be ſo unhappy as to fall into miſunder-"ſtandings among ourſelves to that degree as would "render our friendſhip unſafe to truſt to, it will not be "wondered at, if our neighbours ſhould begin to take "new reſolutions, and perhaps ſuch as may be fatal to "us. Let us therefore take care, that we do not gratify "our enemies, and diſcourage our friends, by any un-"ſeaſonable diſputes. If any ſuch do happen, the "world will ſee, that it was no fault of mine: For I "have done all that it was poſſible for me to do, to keep "you in peace, while I live, and to leave you ſo, when "I die. But from ſo great prudence and ſo good affec-"tion as yours, I can fear nothing of this kind; but do "rely upon you all, that you will do your beſt en-"deavours to bring this parliament to a good and happy "concluſion."

Violence of the commons.

ALL theſe mollifying expreſſions had no influence with the commons. Every ſtep, which they took, betrayed that zeal, with which they were animated. They voted, that it was the undoubted right of the ſubject to petition the king for the calling and ſitting of parliament. Not content with this deciſion, which ſeems juſtifiable in a mixed

mixed monarchy, they fell with the utmoſt violence on all thoſe *abhorrers*, who, in their addreſſes to the crown, had expreſſed their diſapprobation of thoſe petitions. They did not reflect, that it was as lawful for one party of men, as for another, to expreſs their ſenſe of public affairs; and that the beſt eſtabliſhed right may, in particular circumſtances, be abuſed, and even the exerciſe of it become an object of abhorrence. For this offence, they expelled Sir Thomas Withens. They appointed a committee for farther enquiry into ſuch members as had been guilty of a like crime; and complaints were lodged againſt lord Paſton, Sir Robert Malverer, Sir Bryan Stapleton, Taylor and Turner. They addreſſed the king againſt Sir George Jefferies, recorder of London, for his activity in the ſame cauſe; and they frightened him into a reſignation of his office, in which he was ſucceeded by Sir George Treby, a great leader of the popular party. They voted an impeachment againſt North, chief juſtice of the common pleas, for drawing the proclamation againſt tumultuous petitions: But upon examination found the proclamation ſo cautiouſly worded, that it afforded them no handle againſt him. A petition had been preſented to the king from Taunton. "How dare "you deliver me ſuch a paper?" ſaid the king to the perſon who preſented it. "Sir," replied he, "my "name is DARE." For this ſaucy reply, but under other pretences, he had been tried, fined, and committed to priſon. The commons now addreſſed the king for his liberty and for remitting his fine. Some printers alſo and authors of ſeditious libels they took under their protection.

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GREAT numbers of the abhorrers, from all parts of England, were ſeized by order of the commons, and committed to cuſtody. The liberty of the ſubject, which had been ſo carefully guarded by the great charter, and

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by the late law of habeas corpus, was every day violated by their arbitrary and capricious commitments. The chief jealousy, it is true, of the English constitution is naturally and justly directed against the crown; nor indeed have the commons any other way of securing their privileges but by commitments, which, as they cannot beforehand be exactly determined by law, must always appear in some degree arbitrary. Sensible of these reasons, the people had hitherto, without murmuring, seen this discretionary power exercised by the house: But as it was now carried to excess, and was abused to serve the purposes of faction, great complaints against it were heard from all quarters. At last, the vigour and courage of one Stowel of Exeter, an abhorrer, put an end to the practice. He refused to obey the serjeant at arms, stood upon his defence, and said that he knew of no law, by which they pretended to commit him. The house, finding it equally dangerous to proceed or to recede, got off by an evasion: They inserted in their votes, that Stowel was indisposed, and that a month's time was allowed him for the recovery of his health.

But the chief violence of the house of commons appeared in all their transactions with regard to the plot, which they prosecuted with the same zeal and the same credulity as their predecessors. They renewed the former vote, which affirmed the reality of the horrid popish plot; and, in order the more to terrify the people, they even asserted, that, notwithstanding the discovery, the plot still subsisted. They expelled Sir Robert Can and Sir Robert Yeomans, who had been complained of, for saying, that there was no popish, but there was a presbyterian plot. And they greatly lamented the death of Bedloe, whom they called a material witness, and on whose testimony they much depended. He had been seized with a fever at Bristol; had sent for chief justice North;

North; confirmed all his former evidence, except that with regard to the duke and the queen; and desired North to apply to the king for some money to relieve him in his necessities. A few days after, he expired; and the whole party triumphed extremely in these circumstances of his death: As if such a testimony could be deemed the affirmation of a dying man, as if his confession of perjury in some instances could assure his veracity in the rest, and as if the perseverance of one profligate could outweigh the last words of so many men, guilty of no crime but that of popery. CHAP. LXVIII. 1680.

THE commons even endeavoured, by their countenance and protection, to remove the extreme infamy, with which Dangerfield was loaded, and to restore him to the capacity of being an evidence. The whole tribe of informers, they applauded and rewarded: Jennison, Turberville, Dugdale, Smith, la Faria, appeared before them; and their testimony, however frivolous or absurd, met with a favourable reception: The king was applied to in their behalf for pensions and pardons: Their narratives were printed with that sanction, which arose from the approbation of the house: Dr. Tongue was recommended for the first considerable church preferment, which should become vacant. Considering men's determined resolution to believe, instead of admiring that a palpable falshood should be maintained by witnesses, it may justly appear wonderful, that no better evidence was ever produced against the catholics.

THE principal reasons, which still supported the clamour of the popish plot, were the apprehensions entertained by the people, of the duke of York, and the resolution, embraced by their leaders, of excluding him from the throne. Shaftesbury and many considerable men of the party, had rendered themselves totally irreconcileable with him, and could find their safety no way but in his ruin. Exclusion-bill.

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ruin. Monmouth's friends hoped, that the excluſion of that prince would make way for their patron. The reſentment againſt the duke's apoſtacy, the love of liberty, the zeal for religion, the attachment to faction; all theſe motives incited the country party. And above all, what ſupported the reſolution of adhering to the excluſion, and rejecting all other expedients offered, was the hope artfully encouraged, that the king would at laſt be obliged to yield to their demand. His revenues were extremely burdened; and even if free, could ſcarcely ſuffice for the neceſſary charges of government, much leſs for that pleaſure and expence, to which he was inclined. Though he had withdrawn his countenance from Monmouth, he was known ſecretly to retain a great affection for him. On no occaſion had he ever been found to perſiſt obſtinately againſt difficulties and importunity. And as his beloved miſtreſs, the dutcheſs of Portſmouth, had been engaged, either from lucrative views, or the hopes of making the ſucceſſion fall on her own children, to unite herſelf with the popular party; this incident was regarded as a favourable prognoſtic of their ſucceſs. Sunderland, ſecretary of ſtate, who had linked his intereſt with that of the dutcheſs, had concurred in the ſame meaſure.

But beſides friendſhip for his brother and a regard to the right of ſucceſſion, there were many ſtrong reaſons, which had determined Charles to perſevere in oppoſing the excluſion. All the royaliſts and the devotees to the church; that party by which alone monarchy was ſupported; regarded the right of ſucceſſion as inviolable; and if abandoned by the king in ſo capital an article, it was to be feared, that they would, in their turn, deſert his cauſe, and deliver him over to the pretenſions and uſurpations of the country party. The country party, or the whigs, as they were called, if they did not ſtill

retain

retain some propensity towards a republic, were at least affected with a violent jealousy of regal power; and it was equally to be dreaded, that, being enraged with opposition, and animated by success, they would, if they prevailed in this pretension, be willing as well as able, to reduce the prerogative within very narrow limits. All menaces therefore, all promises were in vain employed against the king's resolution: He never would be prevailed on to desert his friends, and put himself into the hands of his enemies. And having voluntarily made such important concessions, and tendered, over and over again, such strong limitations, he was well pleased to find them rejected by the obstinacy of the commons; and hoped, that, after the spirit of opposition had spent itself in fruitless violence, the time would come, when he might safely appeal against his parliament to his people. CHAP. LXVIII. 1680.

So much were the popular leaders determined to carry matters to extremity, that in less than a week after the commencement of the session, a motion was made for bringing in an exclusion-bill, and a committee was appointed for that purpose. This bill differed in nothing from the former, but in two articles, which showed still an encrease of zeal in the commons: The bill was to be read to the people twice a year in all the churches of the kingdom, and every one, who should support the duke's title, was rendered incapable of receiving a pardon but by act of parliament.

The debates were carried on with great violence on both sides. The bill was defended by Sir William Jones, who had now resigned his office of attorney-general, by lord Russel, by Sir Francis Winnington, Sir Harry Capel, Sir William Pulteney, by colonel Titus, Treby, Hambden, Montague. It was opposed by Sir Leoline Jenkins, secretary of state, Sir John Ernley, chancellor of the exchequer, by Hyde, Seymour, 10th Nov.

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Temple. The arguments, tranſmitted to us, may be reduced to the following topics.

1680. Arguments for and againſt the excluſion.

In every government, ſaid the excluſioniſts, there is ſomewhere an authority abſolute and ſupreme; nor can any determination, how unuſual ſoever, which receives the ſanction of the legiſlature, admit afterwards of diſpute or controul. The liberty of any conſtitution, ſo far from diminiſhing this abſolute power, ſeems rather to add force to it, and to give it greater influence over the people. The more members of the ſtate concur in any legiſlative deciſion, and the more free their voice; the leſs likelihood is there, that any oppoſition will be made to thoſe meaſures, which receive the final ſanction of their authority. In England, the legiſlative power is lodged in king, lords, and commons, which comprehend every order of the community: And there is no pretext for exempting any circumſtance of government, not even the ſucceſſion of the crown, from ſo full and deciſive a juriſdiction. Even expreſs declarations have, in this particular, been made of parliamentary authority: Inſtances have occurred, where it has been exerted: And though prudential reaſons may juſtly be alleged, why ſuch innovations ſhould not be attempted but on extraordinary occaſions, the power and right are for ever veſted in the community. But if any occaſion can be deemed extraordinary, if any emergence can require unuſual expedients, it is the preſent; when the heir to the crown has renounced the religion of the ſtate, and has zealouſly embraced a faith, totally hoſtile and incompatible. A prince of that communion can never put truſt in a people, ſo prejudiced againſt him: The people muſt be equally diffident of ſuch a prince: Foreign and deſtructive alliances will ſeem to one the only protection of his throne: Perpetual jealouſy, oppoſition, faction, even inſurrections will be employed by the other as the ſole ſecurities for

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their liberty and religion. Though theological principles, when set in opposition to passions, have often small influence on mankind in general, still less on princes; yet when they become symbols of faction, and marks of party distinctions, they concur with one of the strongest passions in the human frame, and are then capable of carrying men to the greatest extremities. Notwithstanding the better judgment and milder disposition of the king; how much has the influence of the duke already disturbed the tenor of government? How often engaged the nation into measures totally destructive of their foreign interest and honour, of their domestic repose and tranquillity? The more the absurdity and incredibility of the popish plot are insisted on, the stronger reason it affords for the exclusion of the duke; since the universal belief of it discovers the extreme antipathy of the nation to his religion, and the utter impossibility of ever bringing them to acquiesce peaceably under the dominion of such a sovereign. The prince, finding himself in so perilous a situation, must seek for security by desperate remedies, and by totally subduing the privileges of a nation, which had betrayed such hostile dispositions towards himself, and towards every thing which he deems the most sacred. It is in vain to propose limitations and expedients. Whatever share of authority is left in the duke's hands, will be employed to the destruction of the nation; and even the additional restraints, by discovering the public diffidence and aversion, will serve him as incitements to put himself in a condition entirely superior and independant. And as the laws of England still make resistance treason, and neither do nor can admit of any positive exceptions; what folly to leave the kingdom in so perilous and absurd a situation; where the greatest virtue will be exposed to the most severe proscription, and where the laws can only

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be ſaved by expedients, which theſe ſame laws have declared the higheſt crime and enormity?

The court party reaſoned in an oppoſite manner. An authority, they ſaid, wholly abſolute and uncontroulable is a mere chimera, and is no where to be found in any human inſtitutions. All government is founded on opinion and a ſenſe of duty; and wherever the ſupreme magiſtrate, by any law or poſitive preſcription, ſhocks an opinion regarded as fundamental, and eſtabliſhed with a firmneſs equal to that of his own authority, he ſubverts the principle, by which he himſelf is eſtabliſhed, and can no longer hope for obedience. In European monarchies, the right of ſucceſſion is juſtly eſteemed a fundamental; and even though the whole legiſlature be veſted in a ſingle perſon, it would never be permitted him, by an edict, to diſinherit his lawful heir, and call a ſtranger or more diſtant relation to the throne. Abuſes in other parts of government are capable of redreſs, from more diſpaſſionate enquiry or better information of the ſovereign, and till then ought patiently to be endured: But violations of the right of ſucceſſion draw ſuch terrible conſequences after them as are not to be paralleled by any other grievance or inconvenience. Vainly is it pleaded, that England is a mixed monarchy; and that a law, aſſented to by king, lords, and commons, is enacted by the concurrence of every part of the ſtate: It is plain, that there remains a very powerful party, who may indeed be out-voted, but who never will deem a law, ſubverſive of hereditary right, any wiſe valid or obligatory. Limitations, ſuch as are propoſed by the king, give no ſhock to the conſtitution, which in many particulars, is already limited; and they may be ſo calculated as to ſerve every purpoſe, ſought for by an excluſion. If the ancient barriers againſt regal authority have

have been able, during so many ages, to remain impregnable; how much more, those additional ones, which by depriving the monarch of power, tend so far to their own security? The same jealousy too of religion, which has engaged the people to lay these restraints upon the successor, will lessen extremely the number of his partizans, and make it utterly impracticable for him, either by force or artifice, to break the fetters, imposed upon him. The king's age and vigorous state of health promise him a long life: And can it be prudent to tear in pieces the whole state, in order to provide against a contingency, which, it is very likely, may never happen? No human schemes can secure the public in all possible, imaginable, events; and the bill of exclusion itself, however accurately framed, leaves room for obvious and natural suppositions, to which it pretends not to provide any remedy. Should the duke have a son, after the king's death; must that son, without any default of his own, forfeit his title? Or must the princess of Orange descend from the throne, in order to give place to the lawful successor? But were all these reasonings false, it still remains to be considered, that, in public deliberations, we seek not the expedient, which is best in itself, but the best of such as are practicable. The king willingly consents to limitations, and has already offered some which are of the utmost importance: But he is determined to endure any extremity rather than allow the right of succession to be invaded. Let us beware of that factious violence, which leads to demand more than will be granted; lest we lose the advantage of those beneficial concessions, and leave the nation, on the king's demise, at the mercy of a zealous prince, irritated with the ill usage, which, he imagines, he has already met with.

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In the houſe of commons, the reaſoning of the excluſioniſts appeared the moſt convincing; and the bill paſſed by a great majority. It was in the houſe of peers that the king expected to oppoſe it with ſucceſs. The court party was there ſo prevalent, that it was carried only by a majority of two to pay ſo much regard to the bill as even to commit it. When it came to be debated, the 25th Nov. conteſt was violent. Shafteſbury, Sunderland, and Eſſex argued for it: Halifax chiefly conducted the debate againſt it, and diſplayed an extent of capacity and a force of eloquence, which had never been ſurpaſſed in that aſſembly. He was animated, as well by the greatneſs of the occaſion, as by a rivalſhip with his uncle Shafteſbury; whom, during that day's debate, he ſeemed, in the judgement of all, to have totally eclipſed. The king was preſent during the whole debate, which was prolonged till eleven at night. The bill was thrown out by a conſiderable majority. All the biſhops, except three, voted againſt it. Beſides the influence of the court over them; the church of England, they imagined or pretended, was in greater danger from the prevalence of preſbyterianiſm than of popery, which, though favoured by the duke, and even by the king, was extremely repugnant to the genius of the nation.

Exclusion bill rejected.

The commons diſcovered much ill humour upon this diſappointment. They immediately voted an addreſs for the removal of Halifax from the king's councils and preſence for ever. Though the pretended cauſe was his adviſing the late frequent prorogations of parliament, the real reaſon was apparently his vigorous oppoſition to the excluſion-bill. When the king applied for money to enable him to maintain Tangiers, which he declared his preſent revenues totally unable to defend; inſtead of complying, they voted ſuch an addreſs as was in reality a remonſtrance,

remonſtrance, and one little leſs violent than that famous remonſtrance, which uſhered in the civil wars. All the abuſes of government, from the beginning almoſt of the reign, are there inſiſted on; the Dutch war, the alliance with France, the prorogations and diſſolutions of parliament; and as all theſe meaſures, as well as the *damnable* and *helliſh* plot, are there aſcribed to the machinations of papiſts, it was plainly inſinuated, that the king had, all along, lain under the influence of that party, and was in reality the chief conſpirator againſt the religion and liberties of his people. CHAP. LXVIII. 1680.

THE commons, though they conducted the great buſineſs of the excluſion with extreme violence and even imprudence, had yet much reaſon for that jealouſy, which gave riſe to it: But their vehement proſecution of the popiſh plot, even after ſo long an interval, diſcovers ſuch a ſpirit, either of credulity or injuſtice, as admits of no apology. The impeachment of the catholic lords in the Tower was revived; and as viſcount Stafford, from his age, infirmities, and narrow capacity, was deemed the leaſt capable of defending himſelf, it was determined to make him the firſt victim, that his condemnation might pave the way for a ſentence againſt the reſt. The chancellor, now created earl of Nottingham, was appointed high ſteward for conducting the trial. 30th Nov.

THERE were three witneſſes produced againſt the priſoner; Oates, Dugdale, and Turberville. Oates ſwore, that he ſaw Fenwic, the jeſuit, deliver to Stafford a commiſſion ſigned by de Oliva, general of the jeſuits, appointing him paymaſter to the papal army, which was to be levied for the ſubduing of England: For this ridiculous impoſture ſtill maintained its credit with the commons. Dugdale gave teſtimony, that the priſoner, at Tixal, a ſeat of lord Aſhton's, had endeavoured to engage him in the deſign of murdering the king; and had promiſed Trial of Stafford;

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promiſed him, beſides the honour of being ſainted by the church, a reward of 500 pounds for that ſervice. Turberville depoſed, that the priſoner, in his own houſe at Paris, had made him a like propoſal. To offer money for murdering a king, without laying down any ſcheme, by which the aſſaſſin may enſure ſome probability or poſſibility of eſcape, is ſo incredible in itſelf, and may ſo eaſily be maintained by any proſtitute evidence, that an accuſation of that nature, not accompanied with circumſtances, ought very little to be attended to by any court of judicature. But notwithſtanding the ſmall hold, which the witneſſes afforded, the priſoner was able, in many material particulars, to diſcredit their teſtimony. It was ſworn by Dugdale, that Stafford had aſſiſted in a great conſult of the catholics held at Tixal; but Stafford proved by undoubted teſtimony, that at the time aſſigned he was in Bath, and in that neighbourhood. Turberville had ſerved a noviciate among the Dominicans; but having deſerted the convent, he had inliſted as a trooper in the French army; and being diſmiſſed that ſervice, he now lived in London, abandoned by all his relations, and expoſed to great poverty. Stafford proved, by the evidence of his gentleman and his page, that Turberville had never, either at Paris or at London, been ſeen in his company; and it might juſtly appear ſtrange, that a perſon, who had ſo important a ſecret in his keeping, was ſo long entirely neglected by him.

THE clamour and outrage of the populace, during the trial, were extreme: Great ability and eloquence were diſplayed by the managers, Sir William Jones, Sir Francis Winnington, and ſerjeant Maynard: Yet did the priſoner, under all theſe diſadvantages, make a better defence than was expected, either by his friends or his enemies: The unequal conteſt, in which he was engaged, was a plentiful ſource of compaſſion to every mind, ſea-

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ſoned with humanity. He repreſented, that, during a courſe of forty years, from the very commencement of the civil wars, he had, through many dangers, difficulties, and loſſes, ſtill maintained his loyalty: And was it credible, that now, in his old age, eaſy in his circumſtances, but diſpirited by infirmities, he would belye the whole courſe of his life, and engage, againſt his royal maſter, from whom he had ever received kind treatment, in the moſt deſperate and moſt bloody of all conſpiracies? He remarked the infamy of the witneſſes; the contradictions and abſurdities of their teſtimony; the extreme indigence in which they had lived, though engaged, as they pretended, in a conſpiracy with kings, princes, and nobles; the credit and opulence to which they were at preſent raiſed. With a ſimplicity and tenderneſs more perſuaſive than the greateſt oratory, he ſtill made proteſtations of his innocence, and could not forbear, every moment, expreſſing the moſt lively ſurprize and indignation at the audacious impudence of the witneſſes.

It will juſtly appear aſtoniſhing to us, as it did to Stafford himſelf, that the peers, after a ſolemn trial of ſix days, ſhould, by a majority of twenty-four voices, give ſentence againſt him. He received however with reſignation the fatal verdict. *God's holy name be praiſed*, was the only exclamation which he uttered. When the high-ſteward told him, that the peers would intercede with the king for remitting the more cruel and ignominious parts of the ſentence, hanging and quartering; he burſt into tears: But he told the lords, that he was moved to this weakneſs, by his ſenſe of their goodneſs, not by any terror of that fate, which he was doomed to ſuffer.

It is remarkable, that, after Charles, as is uſual in ſuch caſes, had remitted to Stafford the hanging and quartering, the two ſheriffs, Bethel and Corniſh, indulging

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their own republican humour, and complying with the prevalent ſpirit of their party, ever jealous of monarchy, ſtarted a doubt with regard to the king's power of exerciſing even this ſmall degree of lenity. "Since he can-"not pardon the whole," ſaid they, "how can he have "power to remit any part of the ſentence?" They propoſed the doubt to both houſes: The peers pronounced it ſuperfluous; and even the commons, apprehenſive leſt a queſtion of this nature might make way for Stafford's eſcape, gave this ſingular anſwer. "This houſe is *con-*"*tent*, that the ſheriffs do execute William late viſcount "Stafford by ſevering his head from his body *only*." Nothing can be a ſtronger proof of the fury of the times, than that lord Ruſſel, notwithſtanding the virtue and humanity of his character, ſeconded in the houſe this barbarous ſcruple of the ſheriffs.

In the interval between the ſentence and execution, many efforts were made to ſhake the reſolution of the infirm and aged priſoner, and to bring him to ſome confeſſion of that treaſon, for which he was condemned. It was even rumoured, that he had confeſſed; and the zealous partymen, who, no doubt, had ſecretly, notwithſtanding their credulity, entertained ſome doubts with regard to the reality of the popiſh conſpiracy, expreſſed great triumph on this occaſion. But Stafford, when again called before the houſe of peers, diſcovered many ſchemes, which had been laid by himſelf and others for procuring a toleration to the catholics, at leaſt a mitigation of the penal laws, enacted againſt them: And he proteſted, that this was the ſole treaſon, of which he had ever been guilty.

Stafford now prepared himſelf for death with that intrepidity, which became his birth and ſtation, and which was the natural reſult of the innocence and integrity, which during the courſe of a long life, he had ever maintained: His mind ſeemed even to collect new force from

from the violence and oppreſſion, under which he laboured. When going to execution, he called for a cloak to defend him againſt the rigour of the ſeaſon. "Perhaps," ſaid he, "I may ſhake with cold; but, I truſt in God, not "for fear." On the ſcaffold, he continued, with reiterated and earneſt aſſeverations, to make proteſtations of his innocence: All his fervour was exerciſed on that point: When he mentioned the witneſſes, whoſe perjuries had bereaved him of life, his expreſſions were full of mildneſs and of charity. He ſolemnly diſavowed all thoſe immoral principles, which over-zealous proteſtants had aſcribed without diſtinction to the church of Rome: And he hoped, he ſaid, that the time was now approaching, when the preſent deluſion would be diſſipated; and when the force of truth, though late, would engage the whole world to make reparation to his injured honour.

CHAP. LXVIII. 1680. 29th Dec. and execution.

THE populace, who had exulted at Stafford's trial and condemnation, were now melted into tears, at the ſight of that tender fortitude, which ſhone forth in each feature, and motion, and accent of this aged noble. Their profound ſilence was only interrupted by ſighs and groans: With difficulty they found ſpeech to aſſent to thoſe proteſtations of innocence, which he frequently repeated: "We believe you, my lord! God bleſs you, my lord!" Theſe expreſſions with a faultering accent flowed from them. The executioner himſelf was touched with ſympathy. Twice he lifted up the ax, with an intent to ſtrike the fatal blow; and as often felt his reſolution to fail him. A deep ſigh was heard to accompany his laſt effort, which laid Stafford for ever at reſt. All the ſpectators ſeemed to feel the blow. And when the head was held up to them with the uſual cry, *This is the head of a traitor*, no clamour of aſſent was uttered. Pity, remorſe, and aſtoniſhment had taken poſſeſſion of every heart, and diſplayed itſelf in every countenance.

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THIS is the laſt blood which was ſhed on account of the popiſh plot: An incident, which, for the credit of the nation, it were better to bury in eternal oblivion; but which it is neceſſary to perpetuate, as well to maintain the truth of hiſtory, as to warn, if poſſible, their poſterity and all mankind never again to fall into ſo ſhameful and ſo barbarous a deluſion.

THE execution of Stafford gratified the prejudices of the country party; but it contributed nothing to their power and ſecurity: On the contrary, by exciting commiſeration, it tended ſtill farther to encreaſe that diſbelief of the whole plot, which began now to prevail. The commons, therefore, not to loſe the preſent occaſion, reſolved to make both friends and enemies ſenſible of their authority. They paſſed a bill for eaſing the proteſtant diſſenters, and for repealing the perſecuting ſtatute of the thirty-fifth of Elizabeth: This laudable bill was likewiſe carried through the houſe of peers. The chief juſtice was very obnoxious for diſmiſſing the grand jury in an irregular manner, and thereby diſappointing that bold meaſure of Shafteſbury and his friends, who had preſented the duke as a recuſant. For this crime the commons ſent up an impeachment againſt him; as alſo againſt Jones and Weſton, two of the judges, who, in ſome ſpeeches from the bench, had gone ſo far as to give to many of the firſt reformers the denomination of fanatics.

THE king, in rejecting the excluſion bill, had ſheltered himſelf ſecurely behind the authority of the houſe of peers; and the commons had been deprived of the uſual pretence, to attack the ſovereign himſelf, under colour of attacking his miniſters and counſellors. In proſecution however of the ſcheme, which he had formed, of throwing the blame on the commons in caſe of any rupture, he made them a new ſpeech. After warning them, that a neglect of this opportunity would never be retrieved,

retrieved, he added these words: "I did promise you the "fullest satisfaction, which your hearts could wish, for "the security of the protestant religion, and to concur "with you in any remedies, which might consist with "preserving the succession of the crown in its due and "legal course of descent. I do again, with the same re- "servations, renew the same promises to you: And "being thus ready on my part to do all that can reason- "ably be expected from me, I should be glad to know "from you, as soon as may be, how far I shall be assist- "ed by you, and what it is you desire from me." CHAP. LXVIII. 1680.

THE most reasonable objection against the limitations, proposed by the king, is, that they introduced too considerable an innovation in the government, and almost totally annihilated the power of the future monarch. But considering the present disposition of the commons and their leaders, we may fairly presume, that this objection would have small weight with them, and that their disgust against the court would rather incline them to diminish than support regal authority. They still hoped, from the king's urgent necessities and his usual facility, that he would throw himself wholly into their hands; and that thus, without waiting for the accession of the duke, they might immediately render themselves absolute masters of the government. The commons, therefore, besides insisting still on the exclusion, proceeded to bring in bills of an important, and some of them of an alarming nature: One to renew the triennial act, which had been so inadvertently repealed in the beginning of the reign: A second to make the office of judge during good behaviour: A third to declare the levying of money without consent of parliament to be high treason: A fourth to order an association for the safety of his majesty's person, for defence of the protestant religion, for the preservation of the protestant subjects against all invasions and Violence of the commons.

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opposition whatsoever, and for preventing the duke of York or any papist from succeeding to the crown. The memory of the covenant was too recent for men to overlook the consequences of such an association: And the king, who was particularly conversant in Davila, could not fail of recollecting a memorable foreign instance, to fortify this domestic experience.

The commons also passed many votes, which, though they had not the authority of laws, served however to discover the temper and disposition of the house. They voted, that whoever had advised his majesty to refuse the exclusion bill, were promoters of popery and enemies to the king and kingdom. In another vote, they named the marquess of Worcester, the earls of Clarendon, Feversham, and Halifax, Laurence Hyde, and Edward Seymour, as those dangerous enemies; and they requested his majesty to remove them from his person and councils for ever: They voted, that, till the exclusion bill were passed, they could not, consistent with the trust reposed in them, grant the king any manner of supply. And lest he should be enabled, by any other expedient, to support the government, and preserve himself independant, they passed another vote, in which they declared, that whoever should hereafter lend, by way of advance, any money upon those branches of the king's revenue, arising from customs, excise, or hearth money, should be judged a hinderer of the sitting of parliament, and be responsible for the same in parliament.

The king might presume, that the peers, who had rejected the exclusion bill, would still continue to defend the throne, and that none of the dangerous bills, introduced into the other house, would ever be presented for the royal assent and approbation. But as there remained no hopes of bringing the commons to any better temper, and as their farther sitting served only to keep faction alive,

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1681. 10th Jan. Diſſolution of the parliament.

alive, and to perpetuate the general ferment of the nation, he came ſecretly to a reſolution of proroguing them. They got intelligence about a quarter of an hour before the black rod came to their door. Not to loſe ſuch precious time, they paſſed in a tumultuous manner ſome extraordinary reſolutions. They voted, *that* whoſoever adviſed his majeſty to prorogue this parliament to any other purpoſe than in order to paſs the bill of excluſion, was a betrayer of the king, of the proteſtant religion, and of the kingdom of England; a promoter of the French intereſt, and a penſioner of France: *That* thanks be given to the city of London for their manifeſt loyalty, and for their care and vigilance in the preſervation of the king and of the proteſtant religion: *That* it is the opinion of this houſe, that that city was burned in the year 1666 by the papiſts, deſigning thereby to introduce arbitrary power and popery into the kingdom: *That* humble application be made to his majeſty to reſtore the duke of Monmouth to all his offices and commands, from which, it appears to the houſe, he had been removed by the influence of the duke of York. And *that* it is the opinion of the houſe that the proſecution of the proteſtant diſſenters upon the penal laws is at this time grievous to the ſubject, a weakening of the proteſtant intereſt, an encouragement of popery, and dangerous to the peace of the kingdom.

THE king paſſed ſome laws of no great importance: But the bill for repealing the thirty-fifth of Elizabeth, he privately ordered the clerk of the crown not to preſent to him. By this artifice, which was equally diſobliging to the country party as if the bill had been rejected, and at the ſame time implied ſome timidity in the king, that ſalutary act was for the preſent eluded. The king had often of himſelf attempted, and ſometimes by irregular means, to give indulgence to nonconformiſts: But beſides that he had uſually expected to comprehend the catholics

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in this liberty, the present refractory disposition of the sectaries had much incensed him against them; and he was resolved, if possible, to keep them still at mercy.

The last votes of the commons seemed to be an attempt of forming indirectly an association against the crown, after they found, that their association bill could not pass: The dissenting interest, the city, and the duke of Monmouth, they endeavoured to connect with the country party. A civil war indeed never appeared so likely as at present; and it was high time for the king to dissolve a parliament, which seemed to have entertained such dangerous projects. Soon after, he summoned another. Though he observed, that the country party had established their interest so strongly in all the electing burroughs, that he could not hope for any disposition more favourable in the new parliament, this expedient was still a prosecution of his former project, of trying every method, by which he might form an accommodation with the commons: And if all failed, he hoped, that he could the better justify to his people, at least to his party, a final breach with them.

It had always been much regretted by the royalists, during the civil wars, that the long parliament had been assembled at Westminster, and had thereby received force and encouragement from the neighbourhood of a potent and factious city, which had zealously embraced their party. Though the king was now possessed of guards, which in some measure overawed the populace, he was determined still farther to obviate all inconveniencies; and he summoned the new parliament to meet at Oxford. The city of London showed how just a judgment he had formed of their disposition. Besides re-electing the same members, they voted thanks to them for their former behaviour, in endeavouring to discover the depth of the *horrid* and *hellish* popish plot, and to exclude the duke of York,

York, the principal cauſe of the ruin and miſery, impending over the nation. Monmouth with fifteen peers preſented a petition againſt aſſembling the parliament at Oxford, "where the two houſes," they ſaid, "could "not be in ſafety; but would be eaſily expoſed to the "ſwords of the papiſts and their adherents, of whom too "many had creeped into his majeſty's guards." Theſe inſinuations, which pointed ſo evidently at the king himſelf, were not calculated to perſuade him, but to enflame the people. CHAP. LXVIII. 1681.

THE excluſioniſts might have concluded, both from the king's diſſolution of the laſt parliament, and from his ſummoning of the preſent to meet at Oxford, that he was determined to maintain his declared reſolution of rejecting their favourite bill: But they ſtill flattered themſelves, that his urgent neceſſities would influence his eaſy temper, and finally gain them the aſcendant. The leaders came to parliament, attended not only by their ſervants, but by numerous bands of their partizans. The four city members in particular were followed by great multitudes, wearing ribbons, in which were woven theſe words, *No Popery! No Slavery!* The king had his guards regularly muſtered: His party likewiſe endeavoured to make a ſhow of their ſtrength: And on the whole, the aſſembly at Oxford bore rather the appearance of a tumultuous Poliſh diet, than of a regular Engliſh parliament.

THE king, who had hitherto employed the moſt gracious expreſſions to all his parliaments, particularly the two laſt, thought proper to addreſs himſelf to the preſent in a more authoritative manner. He complained of the unwarrantable proceedings of the former houſe of commons; and ſaid, that, as he would never uſe arbitrary government himſelf, neither would he ever ſuffer it in others. By calling however this parliament ſo ſoon, he had ſufficiently ſhown, that no paſt irregularities could 21ſt March. New parliament at Oxford.

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inſpire him with a prejudice againſt thoſe aſſemblies. He now afforded them, he added, yet another opportunity of providing for the public ſafety; and to all the world had given one evidence more, that on his part he had not neglected the duty incumbent on him.

THE commons were not over-awed by the magiſterial air of the king's ſpeech. They conſiſted almoſt entirely of the ſame members; they choſe the ſame ſpeaker; and they inſtantly fell into the ſame meaſures, the impeachment of Danby, the repeal of the perſecuting ſtatute of Elizabeth, the enquiry into the popiſh plot, and the bill of excluſion. So violent were they on this laſt article, that no expedient, however plauſible, could ſo much as be hearkened to. Ernely, one of the king's miniſters, propoſed, that the duke ſhould be baniſhed, during life, five hundred miles from England, and that on the king's demiſe the next heir ſhould be conſtituted regent with regal power: Yet even this expedient, which left the duke only the bare title of king, could not, though ſeconded by Sir Thomas Lyttleton and Sir Thomas Mompeſſon, obtain the attention of the houſe. The paſt diſappointments of the country party, and the oppoſition made by the court, had only rendered them more united, more haughty, and more determined. No method but their own, of excluding the duke, could give them any ſatisfaction.

Fitz-harris's caſe.

THERE was one Fitz-harris, an Iriſh catholic, who had inſinuated himſelf into the dutcheſs of Portſmouth's acquaintance, and had been very buſy in conveying to her intelligence of any libel written by the country party, or of any deſigns entertained againſt her or againſt the court. For ſervices of this kind, and perhaps too, from a regard to his father, Sir Edward Fitz-harris, who had been an eminent royaliſt, he had received from the king a preſent of 250 pounds. This man met with one Ever-

rard, a Scotchman, a spy of the exclusionists, and an informer concerning the popish plot; and he engaged him to write a libel against the king, the duke, and the whole administration. What Fitz-harris's intentions were, cannot well be ascertained: It is probable, as he afterwards asserted, that he meant to carry this libel to his patron, the dutchess, and to make a merit of the discovery. Everard, who suspected some other design, and who was well pleased on his side to have the merit of a discovery with his patrons, resolved to betray his friend: He posted Sir William Waller, a noted justice of peace, and two persons more behind the hangings, and gave them an opportunity of seeing and hearing the whole transaction. The libel, sketched out by Fitz-harris, and executed partly by him, partly by Everard, was the most furious, indecent, and outrageous performance imaginable; and such as was fitter to hurt than serve any party, which should be so imprudent as to adopt it. Waller carried the intelligence to the king, and obtained a warrant for committing Fitz-harris, who happened, at that very time, to have a copy of the libel in his pocket. Finding himself now delivered over to the law, he resolved to pay court to the popular party, who were alone able to protect him, and by whom he observed almost all trials to be governed and directed. He affirmed, that he had been employed by the court to write the libel, in order to throw the odium of it on the exclusionists: But this account, which was within the bounds of credibility, he disgraced by circumstances, which are altogether absurd and improbable. The intention of the ministers, he said, was to send about copies to all the heads of the country party; and the moment they received them, they were to be arrested, and a conspiracy to be imputed to them. That he might merit favour by still more important intelligence, he commenced a discoverer of the great popish plot; and he failed not to confirm

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all the tremendous circumſtances, inſiſted on by his predeceſſors. He ſaid, that the ſecond Dutch war was entered into with a view of extirpating the proteſtant religion, both abroad and at home; that father Parry, a jeſuit, on the diſappointment by the peace, told him, that the catholics reſolved to murder the king, and had even engaged the queen in that deſign; that the envoy of Modena offered him 10,000 pounds to kill the king, and upon his refuſal the envoy ſaid, that the dutcheſs of Mazarine, who was as expert at poiſoning as her ſiſter, the counteſs of Soiſſons, would, with a little phial, execute that deſign; that upon the king's death the army in Flanders was to come over, and maſſacre the proteſtants; that money was raiſed in Italy for recruits and ſupplies, and there ſhould be no more parliaments; and that the duke was privy to this whole plan, and had even entered into the deſign of Godfrey's murder, which was executed in the manner related by Prance.

THE popular leaders had, all along, been very deſirous of having an accuſation againſt the duke; and though Oates and Bedloe, in their firſt evidence, had not dared to go ſo far, both Dugdale and Dangerfield had afterwards been encouraged to ſupply ſo material a defect, by comprehending him in the conſpiracy. The commons, therefore, finding that Fitz-harris was alſo willing to ſerve this purpoſe, were not aſhamed to adopt his evidence, and reſolved for that end to ſave him from the deſtruction, with which he was at preſent threatened. The king had removed him from the city-priſon, where he was expoſed to be tampered with by the excluſioniſts; had ſent him to the Tower; and had ordered him to be proſecuted by an indictment at common law. In order to prevent his trial and execution, an impeachment was voted by the commons againſt him, and ſent up to the lords. That they might ſhow the greater contempt of

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the court, they ordered, by way of deriſion, that the impeachment ſhould be carried up by ſecretary Jenkins; who was ſo provoked by the intended affront, that he at firſt refuſed obedience; though afterwards, being threatened with commitment, he was induced to comply. The lords voted to remit the affair to the ordinary courts of judicature, before whom, as the attorney-general informed them, it was already determined to try Fitz-harris. The commons maintained, that the peers were obliged to receive every impeachment from the commons; and this indeed ſeems to have been the firſt inſtance of their refuſal: They therefore voted, that the lords, in rejecting their impeachment, had denied juſtice, and had violated the conſtitution of parliament. They alſo declared, that whatever inferior court ſhould proceed againſt Fitz-harris, or any one that lay under impeachment, would be guilty of a high breach of privilege. Great heats were likely to enſue; and as the king ſaw no appearance of any better temper in the commons, he gladly laid hold of the opportunity, afforded by a quarrel between the two houſes; and he proceeded to a diſſolution of the parliament. The ſecret was ſo well kept, that the commons had no intimation of it, till the black rod came to their door, and ſummoned them to attend the king at the houſe of peers.

Parliament diſſolved.

This vigorous meaſure, though it might have been foreſeen, excited ſuch aſtoniſhment in the country party, as deprived them of all ſpirit, and reduced them to abſolute deſpair. They were ſenſible, though too late, that the king had finally taken his reſolution, and was determined to endure any extremity rather than ſubmit to thoſe terms, which they had reſolved to impoſe upon him. They found, that he had patiently waited till affairs ſhould come to full maturity; and having now engaged a national party on his ſide, had boldly ſet his enemies at defiance.

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defiance. No parliaments, they knew, would be ſummoned for ſome years; and during that long interval, the court, though perhaps at the head of an inferior party, yet being poſſeſſed of all authority, would have every advantage over a body, diſperſed and diſunited. Theſe reflections crowded upon every one; and all the excluſioniſts were terrified, leſt Charles ſhould ſecond the blow by ſome action more violent, and immediately take vengeance on them for their long and obſtinate oppoſition to his meaſures. The king on his part was no leſs apprehenſive, leſt deſpair might prompt them to have recourſe to force, and make ſome ſudden attempt upon his perſon. Both parties therefore hurried away from Oxford; and in an inſtant, that city, ſo crowded and buſy, was left in its uſual emptineſs and tranquillity.

Victory of the royaliſts.

THE court party gathered force from the diſperſion and aſtoniſhment of their antagoniſts, and adhered more firmly to the king, whoſe reſolutions, they now ſaw, could be entirely depended on. The violences of the excluſioniſts were every where exclaimed againſt and aggravated; and even the reality of the plot, that great engine of their authority, was openly called in queſtion. The clergy eſpecially were buſy in this great revolution; and being moved, partly by their own fears, partly by the inſinuations of the court, they repreſented all their antagoniſts as ſectaries and republicans, and rejoiced in eſcaping thoſe perils, which they believed to have been hanging over them. Principles, the moſt oppoſite to civil liberty, were every where inforced from the pulpit, and adopted in numerous addreſſes; where the king was flattered in his preſent meaſures, and congratulated on his eſcape from parliaments. Could words have been depended on, the nation appeared to be running faſt into voluntary ſervitude, and ſeemed even ambitious of reſigning into the king's hands all the privileges, tranſmitted

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to them, through so many ages, by their gallant ancestors. CHAP. LXVIII.

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But Charles had sagacity enough to distinguish between men's real internal sentiments, and the language, which zeal and opposition to a contrary faction may sometimes extort from them. Notwithstanding all these professions of duty and obedience, he was resolved not to trust, for a long time, the people with a new election, but to depend entirely on his own œconomy for alleviating those necessities, under which he laboured. Great retrenchments were made in the household: Even his favourite navy was neglected: Tangiers, though it had cost great sums of money, was a few years after abandoned and demolished. The mole was entirely destroyed; and the garrison, being brought over to England, served to augment that small army, which the king relied on, as one solid basis of his authority. It had been happy for the nation, had Charles used his victory with justice and moderation equal to the prudence and dexterity, with which he obtained it.

The first step, taken by the court, was the trial of Fitz-harris. Doubts were raised by the jury with regard to their power of trying him, after the concluding vote of the commons: But the judges took upon them to decide the question in the affirmative; and the jury were obliged to proceed. The writing of the libel was clearly proved upon Fitzharris: The only question was with regard to his intentions. He asserted, that he was a spy of the court, and had accordingly carried the libel to the dutchess of Portsmouth; and he was desirous, that the jury should, in this transaction, consider him as a cheat, not as a traitor. He failed however somewhat in the proof; and was brought in guilty of treason by the jury.

Finding

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FINDING himſelf entirely in the hands of the king, he now retracted all his former impoſtures with regard to the popiſh plot, and even endeavoured to attone for them by new impoſtures againſt the country party. He affirmed, that theſe fictions had been extorted from him by the ſuggeſtions and artifices of Treby the recorder, and of Bethel and Corniſh, the two ſheriffs. This account he perſiſted in even at his execution; and though men knew, that nothing could be depended on, which came from one ſo corrupt, and ſo loſt to all ſenſe of honour; yet were they inclined, from his perſeverance, to rely ſomewhat more on his veracity in theſe laſt aſſeverations. But it appears, that his wife had ſome connexions with Mrs. Wall, the favourite maid of the dutcheſs of Portſmouth; and Fitz-harris hoped, if he perſiſted in a ſtory agreeable to the court, that ſome favour might, on that account, be ſhown to his family.

IT is amuſing to reflect on the ſeveral lights, in which this ſtory has been repreſented by the oppoſite factions. The country party affirmed, that Fitz-harris had been employed by the court, in order to throw the odium of the libel on the excluſioniſts, and thereby give riſe to a proteſtant plot: The court party maintained, that the excluſioniſts had found out Fitz-harris, a ſpy of the miniſters, and had ſet him upon this undertaking, from an intention of loading the court with the imputation of ſuch a deſign upon the excluſioniſts. Rather than acquit their antagoniſts, both ſides were willing to adopt an account the moſt intricate and incredible. It was a ſtrange ſituation, in which the people, at that time, were placed; to be every day tortured with theſe perplexed ſtories, and inflamed with ſuch dark ſuſpicions againſt their fellow-citizens. This was no leſs than the fifteenth falſe plot, or ſham plot, as they were then called,

called, with which the court, it was imagined, had endeavoured to load their adversaries [1]. CHAP. LXVIII. 1681.

THE country party had intended to make use of Fitzharris's evidence against the duke and the catholics; and his execution was therefore a great mortification to them. But the king and his ministers were resolved not to be contented with so slender an advantage. They were determined to pursue the victory, and to employ against the exclusionists those very offensive arms, however unfair, which that party had laid up in store against their antagonists. The whole gang of spies, witnesses, informers, suborners, who had so long been supported and encouraged by the leading patriots, finding now that the king was entirely master, turned short upon their old patrons, and offered their service to the ministers. To the disgrace of the court and of the age, they were received with hearty welcome; and their testimony or rather perjury made use of, in order to commit legal murder upon the opposite party. With an air of triumph and derision it was asked, "Are not these men good witnesses, who "have established the popish plot, upon whose testimony "Stafford and so many catholics have been executed, "and whom you yourselves have so long celebrated as "men of credit and veracity? You have admitted them "into your bosom: They are best acquainted with your "treasons: They are determined in another shape to serve "their king and country: And you cannot complain, "that the same measure, which you meted to others, "should now, by a righteous doom or vengeance, be "measured out to you."

IT is certain, that the principle of retaliation may serve in some cases as a full apology, in others as an alleviation, for a conduct which would otherwise be exposed to great blame. But these infamous arts, which

[1] College's trial,

poison

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poiſon juſtice in its very ſource, and break all the bands of human ſociety, are ſo deteſtable and dangerous, that no pretence of retaliation can be pleaded as an apology or even an alleviation of the crime incurred by them. On the contrary, the greater indignation the king and his miniſters felt, when formerly expoſed to the perjuries of abandoned men, the more reluctance ſhould they now have diſcovered againſt employing the ſame inſtruments of vengeance upon their antagoniſts.

THE firſt perſon, on whom the miniſters fell, was one College, a London joiner, who had become extremely noted for his zeal againſt popery, and was much connected with Shafteſbury and the leaders of the country party: For as they relied much upon the populace, men of College's rank and ſtation were uſeful to them. College had been in Oxford armed with ſword and piſtol during the ſitting of the parliament; and this was made the foundation of his crime. It was pretended, that a conſpiracy had been entered into to ſeize the king's perſon, and detain him in confinement, till he ſhould make the conceſſions demanded of him. The ſheriffs of London were in ſtrong oppoſition to the court; and it was not ſtrange, that the grand jury named by them rejected the bill againſt College. The priſoner was therefore ſent to Oxford, where the treaſon was ſaid to have been committed. Lord Norris, a courtier, was ſheriff of the county; and the inhabitants were in general devoted to the court party. A jury was named, conſiſting entirely of royaliſts; and though they were men of credit and character, yet ſuch was the factious rage, which prevailed, that little juſtice could be expected by the priſoner. Some papers, containing hints and directions for his defence, were taken from him, as he was conducted to his trial: An iniquity, which ſome pretended to juſtify by alledging, that a like violence had been practiſed

againſt

againſt a priſoner during the fury of the popiſh plot. Such wild notions of retaliation were at that time propagated by the court party.

THE witneſſes produced againſt College were Dugdale, Turberville, Haynes, Smith; men who had before given evidence againſt the catholics, and whom the jury, for that very reaſon, regarded as the moſt perjured villains. College, though beſet with ſo many toils, and oppreſſed with ſo many iniquities, defended himſelf with ſpirit, courage, capacity, preſence of mind; and he invalidated the evidence of the crown, by convincing arguments and undoubted teſtimony: Yet did the jury, after half an hour's deliberation, bring in a verdict againſt him. The inhuman ſpectators received the news with a ſhout of applauſe: But the priſoner was no wiſe diſmayed. At his execution, he maintained the ſame manly fortitude, and ſtill denied the crime imputed to him. His whole conduct and demeanour prove him to have been a man led aſtray only by the fury of the times, and to have been governed by an honeſt, but indiſcreet zeal for his country and his religion.

THUS the two parties, actuated by mutual rage, but cooped up within the narrow limits of the law, levelled with poiſoned daggers the moſt deadly blows againſt each other's breaſt, and buried in their factious diviſions all regard to truth, honour, and humanity.

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State of affairs in Ireland——Shafteſbury acquitted——Argyle's trial——State of affairs in Scotland——State of the miniſtry in England——New nomination of ſheriffs——Quo warrantos——Great power of the crown——A conſpiracy——Shafteſbury retires and dies——Rye houſe plot——Conſpiracy diſcovered——Execution of the conſpirators——Trial of lord Ruſſel——His execution——Trial of Algernon Sidney——His execution——State of the nation——State of foreign affairs——King's ſickneſs and death——and character.

CHAP. LXIX.

1681. State of affairs in Ireland.

WHEN the cabal entered into the myſterious alliance with France, they took care to remove the duke of Ormond from the committee of foreign affairs; and nothing tended farther to encreaſe the national jealouſy, entertained againſt the new meaſures, than to ſee a man of ſo much loyalty, as well as probity and honour, excluded from public councils. They had even ſo great intereſt with the king as to get Ormond recalled from the government of Ireland; and lord Robarts, afterwards earl of Radnor, ſucceeded him in that important employment. Lord Berkeley ſucceeded Robarts; and the earl of Eſſex, Berkeley. At laſt in the year 1677, Charles caſt his eyes again upon Ormond, whom he had ſo long neglected; and ſent him over lieutenant to Ireland. "I have done every thing," ſaid the king, "to diſoblige "that man; but it is not in my power to make him my "enemy." Ormond, during his diſgrace, had never joined the malcontents, nor encouraged thoſe clamours,

which, with too much reaſon, but often for bad purpoſes, were raiſed againſt the king's meaſures. He even thought it his duty, regularly, though with dignity, to pay his court at Whitehall; and to prove that his attachments were founded on gratitude, inclination, and principle, not on any temporary advantages. All the expreſſions, which dropped from him, while neglected by the court, ſhowed more of good humour, than any prevalence of ſpleen and indignation. "I can do you no ſervice," ſaid he to his friends, "I have only the power left by my "applications to do you ſome hurt." When colonel Cary Dillon ſolicited him to ſecond his pretenſions for an office, and urged that he had no friends but God and his grace; "Alas! poor Cary," replied the duke, "I pity "thee: Thou couldeſt not have two friends, that poſſeſs "leſs intereſt at court." "I am thrown by," ſaid he, on another occaſion, "like an old ruſty clock; yet even "that neglected machine, twice in twenty-four hours, "points right." CHAP. LXIX. 1681.

When Charles found it his intereſt to ſhow favour to the old royaliſts and to the church of England, Ormond, who was much revered by that whole party, could not fail of recovering, together with the government of Ireland, his former credit and authority. His adminiſtration, when lord lieutenant, was correſpondent to the general tenor of his life; and tended equally to promote the intereſt of prince and people, of proteſtant and catholic. Ever firmly attached to the eſtabliſhed religion, he was able, even during theſe jealous times, to eſcape ſuſpicion, though he gratified not vulgar prejudices by any perſecution of the popiſh party. He encreaſed the revenue of Ireland to three hundred thouſand pounds a year: He maintained a regular army of ten thouſand men: He ſupported a well diſciplined militia of twenty thouſand: And though the act of ſettlement had ſo far been in-

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fringed, that catholics were permitted to live in corporate towns, they were guarded with ſo careful an eye, that the moſt timorous proteſtant never apprehended any danger from them.

THE chief object of Eſſex's ambition was to return to the ſtation of lord lieutenant, where he had behaved with honour and integrity: Shafteſbury and Buckingham bore an extreme hatred to Ormond, both from perſonal and party conſiderations: The great aim of the anti-courtiers was to throw reflections on every part of the king's government. It could be no ſurprize, therefore, to the lord lieutenant to learn, that his adminiſtration was attacked in parliament, particularly by Shafteſbury; but he had the ſatisfaction, at the ſame time, to hear of the keen, though polite defence, made by his ſon, the generous Oſſory. After juſtifying ſeveral particulars of Ormond's adminiſtration againſt that intriguing patriot, Oſſory proceeded in the following words: "Having "ſpoken of what the lord lieutenant has done, I pre- "ſume with the ſame truth to tell your lordſhips what "he has not done. He never adviſed the breaking of the "triple league; he never adviſed the ſhutting up of the "exchequer; he never adviſed the declaration for a "toleration; he never adviſed the falling out with the "Dutch and the joining with France: He was not the "author of that moſt excellent poſition *Delenda eſt Car-* "*thago*, that Holland, a proteſtant country, ſhould, con- "trary to the true intereſts of England, be totally "deſtroyed. I beg that your lordſhips will be ſo juſt as "to judge of my father and all men, according to their "actions and their counſels." Theſe few ſentences, pronounced by a plain and gallant ſoldier, noted for probity, had a ſurprizing effect upon the audience, and confounded all the rhetoric of his eloquent and factious adverſary. The prince of Orange, who eſteemed the former

former character as much as he despised the latter, could not forbear congratulating by letter the earl of Ossory on this new species of victory, which he had obtained. CHAP. LXIX. 1681.

OSSORY, though he ever kept at a distance from faction, was the most popular man in the kingdom; though he never made any compliance with the corrupt views of the court, was beloved and respected by the king. An universal grief appeared on his death, which happened about this time, and which the populace, as is usual wherever they are much affected, foolishly ascribed to poison. Ormond bore the loss with patience and dignity; though he ever retained a pleasing, however melancholy, sense of the signal merit of Ossory. "I would "not exchange my dead son," said he, "for any living "son in Christendom."

THESE particularities may appear a digression; but it is with pleasure, I own, that I relax myself for a moment in the contemplation of these humane and virtuous characters, amidst that scene of fury and faction, fraud and violence, in which at present our narration has unfortunately engaged us.

BESIDES the general interest of the country party to decry the conduct of all the king's ministers, the prudent and peaceable administration of Ormond was in a particular manner displeasing to them. In England, where the catholics were scarcely one to a hundred, means had been found to excite an universal panic, on account of insurrections and even massacres, projected by that sect; and it could not but seem strange that in Ireland, where they exceeded the protestants six to one, there should no symptoms appear of any combination or conspiracy. Such an incident, when duly considered, might even in England shake the credit of the plot, and diminish the authority of those leaders, who had so long, with such industry, inculcated the belief of it on the nation. Rewards,

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therefore, were published in Ireland to any that would bring intelligence or become witnesses; and some profligates were sent over to that kingdom, with a commission to seek out evidence against the catholics. Under pretence of searching for arms or papers, they broke into houses, and plundered them: They threw innocent men into prison, and took bribes for their release: And after all their diligence, it was with difficulty, that that country, commonly fertile enough in witnesses, could furnish them with any fit for their purpose.

At last, one Fitzgerald appeared, followed by two Macnamaras, Ivey, Sanson, Dennis, Bourke, and some others. These men were immediately sent over to England; and though they possessed neither character, sufficient to gain belief even for truth, nor sense to invent a credible falshood, they were caressed, rewarded, supported, and recommended by the earl of Shaftesbury. Oliver Plunket, the titular primate of Ireland, a man of peaceable dispositions, was condemned and executed upon such testimony. And the Oxford parliament entered so far into the matter as to vote, that they were entirely satisfied in the reality of the *horrid* and *damnable* Irish plot. But such decisions, though at first regarded as infallible, had now lost much of their authority; and the public still remained somewhat indifferent and incredulous.

After the dissolution of the parliament, and the subsequent victory of the royalists, Shaftesbury's evidences, with Turberville, Smith, and others, addressed themselves to the ministers, and gave information of high treason against their former patron. It is sufficiently scandalous, that intelligence, conveyed by such men, should have been attended to; but there is some reason to think, that the court agents, nay the ministers, nay the king himself[k], went farther, and were active in endeavouring,

[k] See captain Wilkinson's narrative.

though

though in vain, to find more reputable persons to support the blasted credit of the Irish witnesses. Shaftesbury was committed to prison, and his indictment was presented to the grand jury. The new sheriffs of London, Shute and Pilkington, were engaged as deeply as their predecessors in the country party; and they took care to name a jury devoted to the same cause: A precaution quite necessary, when it was scarcely possible to find men indifferent or attached to neither party. As far as swearing could go, the treason was clearly proved against Shaftesbury; or rather so clearly as to merit no kind of credit or attention. That veteran leader of a party, enured from his early youth to faction and intrigue, to cabals and conspiracies, was represented as opening without reserve his treasonable intentions to these obscure banditti, and throwing out such violent and outrageous reproaches upon the king, as none but men of low education, like themselves, could be supposed to employ. The draught of an association, it is true, against popery and the duke, was found in Shaftesbury's cabinet; and dangerous inferences might be drawn from many clauses of that paper. But it did not appear, that it had been framed by Shaftesbury, or so much as approved by him. And as projects of an association had been proposed in parliament, it was very natural for this nobleman to be thinking of some plan, which it might be proper to lay before that assembly. The grand jury, therefore, after weighing all these circumstances, rejected the indictment; and the people, who attended the hall, testified their joy, by the loudest acclamations, which were echoed throughout the whole city.

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Shaftesbury acquitted.

About this time a scheme of oppression was laid in Scotland, after a manner still more flagrant, against a nobleman much less obnoxious than Shaftesbury; and as that country was reduced to a state of almost total subjection, the project had the fortune to succeed.

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1631. Argyle's trial.

THE earl of Argyle, from his youth, had diſtinguiſhed himſelf by his loyalty, and his attachment to the royal family. Though his father was head of the covenanters, he himſelf refuſed to concur in any of their meaſures; and when a commiſſion of colonel was given him by the convention of ſtates, he forbore to act upon it, till it ſhould be ratified by the king. By his reſpectful behaviour, as well as by his ſervices, he made himſelf acceptable to Charles, when that prince was in Scotland: And even after the battle of Worceſter, all the misfortunes, which attended the royal cauſe, could not engage him to deſert it. Under Middleton he obſtinately perſevered to harraſs and infeſt the victorious Engliſh; and it was not till he received orders from that general, that he would ſubmit to accept of a capitulation. Such jealouſy of his loyal attachments was entertained by the commonwealth and protector, that a pretence was ſoon after fallen upon to commit him to priſon; and his confinement was rigorouſly continued till the reſtoration. The king, ſenſible of his ſervices, had remitted to him his father's forfeiture, and created him earl of Argyle; and when a moſt unjuſt ſentence was paſſed upon him by the Scotch parliament, Charles had anew remitted it. In the ſubſequent part of this reign, Argyle behaved himſelf dutifully; and though he ſeemed not diſpoſed to go all lengths with the court, he always appeared, even in his oppoſition, a man of mild diſpoſitions and peaceable deportment.

A PARLIAMENT was ſummoned at Edinburgh this ſummer, and the duke was appointed commiſſioner. Beſides granting money to the king and voting the indefeaſible right of ſucceſſion, this parliament enacted a teſt, which all perſons, poſſeſſed of offices, civil, military, or eccleſiaſtical, were bound to take. In this teſt, the king's ſupremacy was aſſerted, the covenant renounced, paſſive obedience aſſented to, and all obligations diſclaimed

of

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of endeavouring any alteration in civil or ecclesiastical establishments. This was the state of the test, as proposed by the courtiers; but the country party proposed also to insert a clause, which could not with decency be refused, expressing the person's adherence to the protestant religion. The whole was of an enormous length, considered as an oath; and what was worse, a confession of faith was there ratified, which had been imposed a little after the reformation, and which contained many articles, altogether forgot by the parliament and nation. Among others, the doctrine of resistance was inculcated; so that the test, being voted in a hurry, was found on examination to be a medley of contradiction and absurdity. Several persons, the most attached to the crown, scrupled to take it: The bishops and many of the clergy remonstrated: The earl of Queensberry refused to swear, except he might be allowed to add an explanation: And even the privy council thought it necessary to publish for general satisfaction a solution of some difficulties, attending the test.

THOUGH the courtiers could not reject the clause of adhering to the protestant religion, they proposed, as a requisite mark of respect, that all princes of the blood should be exempted from taking that oath. This exception was zealously opposed by Argyle; who observed, that the sole danger to be dreaded for the protestant religion must proceed from the perversion of the royal family. By insisting on such topics, he drew on himself the secret indignation of the duke, of which he soon felt the fatal consequences.

WHEN Argyle took the test as a privy counsellor, he subjoined, in the duke's presence, an explanation, which he had beforehand communicated to that prince, and which he believed to have been approved by him. It was in these words. "I have considered the test, and am

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"very desirous of giving obedience as far as I can. I "am confident, that the parliament never intended to "impose contradictory oaths: Therefore I think no "man can explain it but for himself. Accordingly, I "take it as far as it is consistent with itself, and the "protestant religion. And I do declare, that I mean "not to bind myself, in my station, and in a lawful "way, from wishing and endeavouring any alteration, "which I think to the advantage of church or state, "and not repugnant to the protestant religion and my "loyalty: And this I understand as a part of my oath." The duke, as was natural, heard these words with great tranquillity: No one took the least offence: Argyle was admitted to sit that day in council: And it was impossible to imagine, that a capital offence had been committed, where occasion seemed not to have been given, so much as for a frown or reprimand.

ARGYLE was much surprized, a few days after, to find, that a warrant was issued for committing him to prison; that he was indicted for high treason, leasing-making, and perjury; and that from these innocent words an accusation was extracted, by which he was to forfeit honours, life, and fortune. It is needless to enter into particulars, where the iniquity of the whole is so apparent. Though the sword of justice was displayed, even her semblance was not put on; and the forms alone of law were preserved, in order to sanctify, or rather aggravate the oppression. Of five judges, three did not scruple to find the guilt of treason and leasing-making to be incurred by the prisoner: A jury of fifteen noblemen gave verdict against him: And the king, being consulted, ordered the sentence to be pronounced; but the execution of it to be suspended, till farther orders.

IT was pretended by the duke and his creatures, that Argyle's life and fortune were not in any danger, and

that

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that the ſole reaſon for puſhing the trial to ſuch extremities againſt him was in order to make him renounce ſome hereditary juriſdictions, which gave his family a dangerous authority in the highlands, and obſtructed the courſe of public juſtice. But allowing the end to be juſtifiable, the means were infamous; and ſuch as were incompatible, not only with a free, but a civilized government. Argyle had therefore no reaſon to truſt any longer to the juſtice or mercy of ſuch enemies: He made his eſcape from priſon; and till he ſhould find a ſhip for Holland, he concealed himſelf during ſome time in London. The king heard of his lurking-place, but would not allow him to be arreſted [1]. All the parts however of his ſentence, ſo far as the government in Scotland had power, were rigorouſly executed; his eſtate confiſcated, his arms reverſed and torne.

State of affairs in Scotland.

It would ſeem, that the genuine paſſion for liberty was at this time totally extinguiſhed in Scotland: There was only preſerved a ſpirit of mutiny and ſedition, encouraged by a miſtaken zeal for religion. Cameron and Cargil, two furious preachers, went a ſtep beyond all their brethren: They publicly excommunicated the king for his tyranny and his breach of the covenant; and they renounced all allegiance to him. Cameron was killed by the troops in an action at Airs-Moſs; Cargil was taken and hanged. Many of their followers were tried and convicted. Their lives were offered them if they would ſay *God ſave the king:* But they would only agree to pray for his repentance. This obſtinacy was much inſiſted on as an apology for the rigors of the adminiſtration: But, if duly conſidered, it will rather afford reaſon for a contrary inference. Such unhappy deluſion is an object rather of commiſeration than of anger: And it is almoſt impoſſible, that men could have been carried to ſuch a

[1] Burnet, vol. i p. 522.

degree

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degree of madneſs, unleſs provoked by a long train of violence and oppreſſion.

1682. As the king was maſter in England, and no longer dreaded the clamours of the country party, he permitted the duke to pay him a viſit; and was ſoon after prevailed on to allow of his return to England, and of his bearing a part in the adminiſtration. The duke went to Scotland, in order to bring up his family, and ſettle the government of that country; and he choſe to take his paſſage by ſea. The ſhip ſtruck on a ſand-bank, and was loſt: The duke eſcaped in the barge; and it is pretended, that, while many perſons of rank and quality were drowned, and among the reſt, Hyde, his brother-in-law, he was very careful to ſave ſeveral of his dogs and prieſts: For theſe two ſpecies of favourites are coupled together by ſome writers. It has likewiſe been aſſerted, that the barge might ſafely have held more perſons, and that ſome who ſwam to it were thruſt off, and even their hands cut, in order to diſengage them. But every action of every eminent perſon, during this period, is ſo liable to be miſinterpreted and miſrepreſented by faction, that we ought to be very cautious in paſſing judgment on too ſlight evidence. It is remarkable, that the ſailors on board the ſhip, though they felt themſelves ſinking, and ſaw inevitable death before their eyes, yet, as ſoon as they obſerved the duke to be in ſafety, gave a loud ſhout, in teſtimony of their joy and ſatisfaction.

THE duke, during his abode in Scotland, had behaved with great civility towards the gentry and nobility; and by his courtly demeanor had much won upon their affections: But his treatment of the enthuſiaſts was ſtill ſomewhat rigorous; and in many inſtances he appeared to be a man of a ſevere, if not an unrelenting temper. It is even aſſerted, that he ſometimes aſſiſted at the torture of

criminals, and looked on with tranquillity, as if he were considering ſome curious experiment [m]. He left the authority in the hands of the earl of Aberdeen, chancellor, and the earl of Queenſberry, treaſurer: A very arbitrary ſpirit appeared in their adminiſtration. A gentleman of the name of Weir was tried, becauſe he had kept company with one who had been in the rebellion; though that perſon had never been marked out by proceſs or proclamation. The inferences, upon which Weir was condemned (for a proſecution by the government and a condemnation were in Scotland the ſame thing) hung upon each other, after the following manner. No man, it was ſuppoſed, could have been in a rebellion, without being expoſed to ſuſpicion in the neighbourhood: If the neighbourhood had ſuſpected him, it was to be preſumed, that each individual had likewiſe heard of the grounds of ſuſpicion: Every man was bound to declare to the government his ſuſpicion againſt every man, and to avoid the company of traitors: To fail in this duty was to participate in the treaſon: The concluſion on the whole was, You have converſed with a rebel; therefore you are yourſelf a rebel. A reprieve was with ſome difficulty procured for Weir; but it was ſeriouſly determined to make uſe of the precedent. Courts of judicature were erected in the ſouthern and weſtern counties, and a ſtrict inquiſition carried on againſt this new ſpecies of crime. The term of three years was appointed for the continuance of theſe courts; after which an indemnity was promiſed. Whoever would take the teſt, was inſtantly entitled to the benefit of this indemnity. The preſbyterians, alarmed with ſuch tyranny, from which no man could deem himſelf ſafe, began to think of leaving the

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[m] Burnet, vol. i. p. 583. Wodrow, vol. ii. p. 169. This laſt author, who is much the better authority, mentions only one inſtance, that of Spreul, which ſeems to have been an extraordinary one.

country,

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country; and some of their agents were sent to England, in order to treat with the proprietors of Carolina for a settlement in that colony. Any condition seemed preferable to the living in their native country, which, by the prevalence of persecution and violence, was become as insecure to them as a den of robbers.

ABOVE two thousand persons were out-lawed on pretence of their conversing or having intercourse with rebels [n], and they were continually hunted in their retreat by soldiers, spies, informers, and oppressive magistrates. It was usual to put ensnaring questions to people, living peaceably in their own houses; such as, "Will you renounce the covenant? Do you esteem the rising at "Bothwel to be rebellion? Was the killing of the archbishop of St. Andrews murder?" And when the poor deluded creatures refused to answer, capital punishments were inflicted on them [o]. Even women were brought to the gibbet for this pretended crime. A number of fugitives, rendered frantic by oppression, had published a seditious declaration: renouncing allegiance to Charles Stuart, whom they called, as they, for their parts, had indeed some reason to esteem him, a tyrant. This incident afforded the privy council a pretence for an unusual kind of oppression. Soldiers were dispersed over the country, and power was given to all commission officers, even the lowest, to oblige every one whom they met with, to abjure the declaration; and upon refusal, instantly, without farther questions, to shoot the delinquent [p]. It were endless, as well as shocking, to enumerate all the instances of persecution, or, in other words, of absurd tyranny, which at that time prevailed in Scotland. One of them however is so singular, that I cannot forbear relating it.

[n] Wodrow, vol. ii. Appendix, 94. [o] Ibid. vol. ii. passim. [p] Ibid. vol. ii. p. 434.

THREE

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THREE women were ſeized [q]; and the cuſtomary oath was tendered to them, by which they were to abjure the ſeditious declaration abovementioned. They all refuſed, and were condemned to a capital puniſhment by drowning. One of them was an elderly woman: The other two were young; one eighteen years of age, the other only thirteen. Even theſe violent perſecutors were aſhamed to put the youngeſt to death: But the other two were conducted to the place of execution, and were tied to ſtakes within the ſea-mark at low water: A contrivance, which rendered their death lingering and dreadful. The elderly woman was placed fartheſt in, and by the riſing of the waters was firſt ſuffocated. The younger, partly terrified with the view of her companion's death, partly ſubdued by the entreaty of her friends, was prevailed with to ſay *God ſave the King*. Immediately the ſpectators called out, that ſhe had ſubmitted; and ſhe was looſened from the ſtake. Major Winram, the officer who guarded the execution, again required her to ſign the abjuration; and upon her refuſal, he ordered her inſtantly to be plunged in the water, where ſhe was ſuffocated.

THE ſeverity of the adminiſtration in Scotland is in part to be aſcribed to the duke's temper, to whom the king had conſigned over the government of that country, and who gave ſuch attention to affairs as to allow nothing of importance to eſcape him. Even the government of England, from the ſame cauſe, began to be ſomewhat infected with the ſame ſeverity. The duke's credit was great at court. Though neither ſo much beloved nor eſteemed as the king, he was more dreaded; and thence an attendance more exact, as well as a ſubmiſſion more obſequious, was paid him. The ſaying of Waller was remarked, that Charles, in ſpite to the parliament, who had

[q] Ibid. vol. ii. p. 505.

determined,

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determined, that the duke ſhould not ſucceed him, was reſolved, that he ſhould reign even in his lifetime.

State of the miniſtry in England.

THE king however, who loved to maintain a balance in his councils, ſtill ſupported Halifax, whom he created a marqueſs, and made privy ſeal; though ever in oppoſition to the duke. This man, who poſſeſſed the fineſt genius and moſt extenſive capacity, of all employed in public affairs during the preſent reign, affected a ſpecies of neutrality between the parties, and was eſteemed the head of that ſmall body, known by the denomination of *Trimmers*. This conduct, which is more natural to men of integrity than of ambition, could not however procure him the former character; and he was always, with reaſon, regarded as an intriguer rather than a patriot. Sunderland, who had promoted the excluſion-bill, and who had been diſplaced on that account, was again, with the duke's conſent, brought into the adminiſtration. The extreme duplicity, at leaſt variableneſs, of this man's conduct, through the whole courſe of his life, made it be ſuſpected, that it was by the king's direction he had mixed with the country party. Hyde, created earl of Rocheſter, was firſt commiſſioner of the treaſury, and was entirely in the duke's intereſt.

THE king himſelf was obliged to act as the head of a party; a diſagreeable ſituation for a prince, and always the ſource of much injuſtice and oppreſſion. He knew how obnoxious the diſſenters were to the church; and he reſolved, contrary to the maxims of toleration, which he had hitherto ſupported in England, to gratify his friends by the perſecution of his enemies. The laws againſt conventicles were now rigorouſly executed; an expedient, which, the king knew, would diminiſh neither the numbers nor influence of the nonconformiſts; and which is therefore to be deemed more the reſult of

paſſion

passion than of policy. Scarcely any persecution serves the intended purpose but such as amounts to a total extermination.

THOUGH the king's authority made every day great advances, it still met with considerable obstacles, chiefly from the city, which was entirely in the hands of the malcontents. The juries, in particular, named by the sheriffs, were not likely to be impartial judges between the crown and the people; and after the experiments already made in the case of Shaftesbury and that of College, treason, it was apprehended, might there be committed with impunity. There could not therefore be a more important service to the court than to put affairs upon a different footing. Sir John Moor, the mayor, was gained by secretary Jenkins, and encouraged to insist upon the customary privilege of his office, of naming one of the sheriffs. Accordingly, when the time of election came, he drank to North, a Levant merchant, who accepted that expensive office. The country party said, that, being lately returned from Turkey, he was, on account of his recent experience, better qualified to serve the purposes of the court. A poll was opened for the election of another sheriff; and here began the contest. The majority of the common-hall, headed by the two sheriffs of the former year, refused to acknowledge the mayor's right of nominating one sheriff, but insisted that both must be elected by the liveries. Papillon and Dubois were the persons whom the country patry agreed to elect: Box was pointed out by the courtiers. The poll was opened; but as the mayor would not allow the election to proceed for two vacancies, the sheriffs and he separated, and each carried on the poll apart. The country party, who voted with the sheriffs for Papillon and Dubois, were much more numerous than those who voted with the mayor for Box: But as the mayor insisted,

New nomination of sheriffs.

24th of June.

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insisted, that his poll was the only legal one, he declared Box to be duly elected. All difficulties however were not surmounted. Box, apprehensive of the consequences, which might attend so dubious an election, fined off; and the mayor found it requisite to proceed to a new choice. When the matter was proposed to the common-hall, a loud cry was raised, No election! No election! The two sheriffs already elected, Papillon and Dubois, were insisted on as the only legal magistrates. But as the mayor still maintained, that Box alone had been legally chosen, and that it was now requisite to supply his place, he opened books anew; and during the tumult and confusion of the citizens, a few of the mayor's partizans elected Rich, unknown to and unheeded by the rest of the liveries. North and Rich were accordingly sworn in sheriffs for the ensuing year; but it was necessary to send a guard of the train bands to protect them in entering upon their office. A new mayor of the court party was soon after chosen by means, as is pretended, still more violent and irregular.

25th of October.

THUS the country party were dislodged from their strong hold in the city; where, ever since the commencement of factions in the English government, they had, without interruption, almost without molestation, maintained a superiority. It had been happy, had the partialities, hitherto objected to juries, been corrected, without giving place to partialities of an opposite kind: But in the present distracted state of the nation, an equitable neutrality was almost impossible to be attained. The court and church party, who were now named on juries, made justice subservient to their factious views; and the king had a prospect of obtaining full revenge on his enemies. It was not long before the effects of these alterations were seen. When it was first reported, that the

duke

duke intended to leave Scotland, Pilkington, at that time sheriff, a very violent man, had broken out in these terms, "He has already burned the city; and is he now coming to cut all our throats?" For these scandalous expressions, the duke sued Pilkington; and enormous damages, to the amount of 100,000 pounds, were decreed him. By the law of England, ratified in the great charter, no fine ought to extend to the total ruin of a criminal. Sir Patience Ward, formerly mayor, who gave evidence for Pilkington, was sued for perjury, and condemned to the pillory: A severe sentence, and sufficient to deter all witnesses from appearing in favour of those, who were prosecuted by the court. CHAP. LXIX. 1682.

BUT though the crown had obtained so great a victory in the city, it was not quite decisive; and the contest might be renewed every year at the election of magistrates. An important project, therefore, was formed, not only to make the king master of the city, but by that example to gain him the ascendant in all the corporations of England, and thereby give the greatest wound to the legal constitution, which the most powerful and most arbitrary monarchs had ever yet been able to inflict. All the royalists, though Englishmen, and even, to a certain degree, lovers of liberty, were yet induced, from enmity to the opposite faction, and from the desire of superiority, to concur in this violent measure. A writ of *quo warranto* was issued against the city; that is, an enquiry into the validity of its charter. It was pretended, that the city had forfeited all its privileges, and ought to be declared no longer a corporation, on account of two offences, which the court of aldermen and common council had committed. After the great fire in 1666, all the markets had been rebuilt, and had been fitted up with many conveniencies; and in order to defray the expence, the 1683. Quo warrantos.

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1683. magistrates had imposed a small toll on such as brought goods to market: In the year 1679, they had addressed the king against the prorogation of parliament, and had employed the following terms: "Your petitioners are "greatly surprized at the late prorogation, whereby the "prosecution of the public justice of the kingdom, and "the making of necessary provisions for the preservation "of your majesty and your protestant subjects, have re-"ceived interruption." These words were pretended to contain a scandalous reflection on the king and his measures. The cause of the city was defended against the attorney and solicitor generals, by Treby and Pollexfen.

THESE last pleaded, that, since the foundation of the monarchy, no corporation had ever yet been exposed to forfeiture, and the thing itself implied an absurdity: That a corporation, as such, was incapable of all crime or offence, and none were answerable for any iniquity but the persons themselves, who committed it: That the members, in choosing magistrates, had entrusted them with legal powers only; and where the magistrates exceeded these powers, their acts were void, but could never involve the body itself in any criminal imputation: That such had ever been the practice of England, except at the Reformation, when the monasteries were abolished; but this was an extraordinary case; and it was even thought necessary afterwards to ratify the whole transaction by act of parliament: That corporate bodies, framed for public good, and calculated for perpetual duration, ought not to be annihilated for the temporary faults of their members, who might themselves, without hurting the community, be questioned for their offences: That even a private estate, if entailed, could not be forfeited to the crown, on account of treason, committed by the tenant for life; but upon his demise went to the next in remainder: That the offences, objected to the city, far from deserving

deſerving ſo ſevere a puniſhment, were not even worthy of the ſmalleſt reprehenſion: That all corporations were inveſted with the power of making bye-laws; and the ſmalleſt burrough in England had ever been allowed to carry the exerciſe of this power farther than London had done in the inſtance complained of: That the city, having, at its own expence, repaired the markets, which were built too on its own eſtate, might as lawfully claim a ſmall recompence from ſuch as brought commodities thither, as a man might require rent for a houſe, of which he was poſſeſſed. That thoſe who diſliked the condition, might abſtain from the market; and whoever paid, had done it voluntarily: That it was an avowed right of the ſubjects to petition; nor had the city in their addreſs abuſed this privilege: That the king himſelf had often declared, the parliament often voted, the nation to be in danger from the popiſh plot; which, it is evident, could not be fully proſecuted but in a parliamentary manner: That the impeachment of the popiſh lords was certainly obſtructed by the frequent prorogations; as was alſo the enacting of neceſſary laws, and providing for the defence of the nation: That the loyalty of the city, no leſs than their regard to ſelf-preſervation, might prompt them to frame the petition; ſince it was acknowledged, that the king's life was every moment expoſed to the moſt imminent danger from the popiſh conſpiracy: That the city had not accuſed the king of obſtructing juſtice, much leſs of having any ſuch intention; ſince it was allowed, that evil counſellors were alone anſwerable for all the pernicious conſequences of any meaſure: And that it was unaccountable, that two public deeds, which had not, during ſo long a time, ſubjected, to any, even the ſmalleſt penalty, the perſons guilty of them, ſhould now be puniſhed ſo ſeverely upon the corporation, which always was, and always muſt be innocent.

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IT is evident, that thoſe who would apologize for the meaſures of the court, muſt, in this caſe, found their arguments, not on law, but reaſons of ſtate. The judges, therefore, who condemned the city, are inexcuſable; ſince the ſole object of their determinations muſt ever be the pure principles of juſtice and equity. But the place of judge was at that time held during pleaſure; and it was impoſſible, that any cauſe, where the court bent its force, could ever be carried againſt it. After ſentence was pronounced, the city applied in a humble manner to the king; and he agreed to reſtore their charter, but in return they were obliged to ſubmit to the following regulations: That no mayor, ſheriff, recorder, common ſerjeant, town clerk, or coroner ſhould be admitted to the exerciſe of his office without his majeſty's approbation: That if the king diſapprove twice of the mayor or ſheriffs elected, he may by commiſſion appoint theſe magiſtrates: That the mayor and court of aldermen may, with his majeſty's leave, diſplace any magiſtrate: And that no alderman, in caſe of a vacancy, ſhall be elected without conſent of the court of aldermen, who, if they diſapprove twice of the choice, may fill the vacancy.

Great power of the crown.

ALL the corporations in England, having the example of London before their eyes, ſaw how vain it would prove to contend with the court, and were, moſt of them, ſucceſſively induced to ſurrender their charters into the king's hands. Conſiderable ſums were exacted for reſtoring the charters; and all offices of power and profit were left at the diſpoſal of the crown. It ſeems ſtrange, that the independant royaliſts, who never meant to make the crown abſolute, ſhould yet be ſo elated with the victory obtained over their adverſaries, as to approve of a precedent, which left no national privileges in ſecurity, but enabled the king, under like pretences, and by means

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of like instruments, to recall anew all those charters, which at present he was pleased to grant. And every friend to liberty must allow, that the nation, whose constitution was thus broken in the shock of faction, had a right, by every prudent expedient, to recover that security, of which it was so unhappily bereaved. CHAP. LXIX. 1683.

WHILE so great a faction adhered to the crown, it is apparent, that resistance, however justifiable, could never be prudent; and all wise men saw no expedient but peaceably to submit to the present grievances. There was however a party of malcontents, so turbulent in their disposition, that even before this last iniquity, which laid the whole constitution at the mercy of the king, they had meditated plans of resistance; at a time when it could be as little justifiable as prudent. In the spring 1681 [r], a little before the Oxford parliament, the king was seized with a fit of sickness at Windsor, which gave great alarm to the public. The duke of Monmouth, lord Russel, lord Grey, instigated by the restless Shaftesbury, had agreed, in case the king's sickness should prove mortal, to rise in arms and to oppose the succession of the duke. Charles recovered; but these dangerous projects were not laid aside. The same conspirators, together with Essex and Salisbury, were determined to continue the Oxford parliament, after the king, as was daily expected, should dissolve it; and they engaged some leaders among the commons in the same desperate measure. They went so far as to detain several lords in the house, under pretence of signing a protest A conspiracy.

[r] Lord Grey's secret history of the Rye-house plot. This is the most full and authentic account of all these transactions; but is in the main confirmed by bishop Sprat, and even Burnet, as well as by the trials and dying confessions of the conspirators: So that nothing can be more unaccountable than that any one should pretend, that this conspiracy was an imposture like the popish plot. Monmouth's declaration published in the next reign, confesses a consult for extraordinary remedies.

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againſt rejecting Fitz-harris's impeachment: But hearing that the commons had broken up in great conſternation, they were likewiſe obliged at laſt to ſeparate. Shafteſbury's impriſonment and trial put an end for ſome time to theſe machinations; and it was not till the new ſheriffs were impoſed on the city that they were revived. The leaders of the country party began then to apprehend themſelves in imminent danger; and they were well pleaſed to find, that the citizens were ſtruck with the ſame terror, and were thence inclined to undertake the moſt perilous enterprizes. Beſides the city, the gentry and nobility in ſeveral counties of England were ſolicited to riſe in arms. Monmouth engaged the earl of Macclesfield, lord Brandon, Sir Gilbert Gerrard, and other gentlemen in Cheſhire; lord Ruſſel fixed a correſpondence with Sir William Courtney, Sir Francis Rowles, Sir Francis Drake, who promiſed to raiſe the weſt; and Trenchard in particular, who had intereſt in the diſaffected town of Taunton, aſſured him of conſiderable aſſiſtance from that neighbourhood. Shafteſbury and his emiſſary, Ferguſon, an independant clergyman and a reſtleſs plotter, managed the correſpondence in the city, upon which the confederates chiefly relied. The whole train was ready to take fire; but was prevented by the caution of lord Ruſſel, who induced Monmouth to delay the enterprize. Shafteſbury in the mean time was ſo much affected with the ſenſe of his danger, that he had left his houſe, and ſecretly lurked in the city; meditating all thoſe deſperate ſchemes, which diſappointed revenge and ambition could dictate. He exclaimed loudly againſt delay, and repreſented to his confederates, that, having gone ſo far, and entruſted the ſecret into ſo many hands, there was no ſafety for them but in a bold and deſperate proſecution of their purpoſe. The projects were therefore renewed: Meetings of the conſpirators were appointed in different houſes,

houſes, particularly in Shephard's, an eminent wine-merchant in the city: The plan of an inſurrection was laid in London, Cheſhire, Devonſhire, and Briſtol: The ſeveral places of rendezvous in the city were concerted; and all the operations fixed: The ſtate of the guards was even viewed by Monmouth and Armſtrong, and an attack on them pronounced practicable: A declaration to juſtify the enterprize to the public was read and agreed to: And every circumſtance ſeemed now to render an inſurrection unavoidable; when a new delay was procured by Trenchard, who declared, that the riſing in the weſt could not for ſome weeks be in ſufficient forwardneſs. CHAP. LXIX. 1683.

SHAFTESBURY was enraged at theſe perpetual cautions and delays in an enterprize, which, he thought, nothing but courage and celerity could render effectual: He threatened to commence the inſurrection with his friends in the city alone; and he boaſted, that he had ten thouſand *briſk boys*, as he called them, who, on a motion of his finger, were ready to fly to arms. Monmouth, Ruſſel, and the other conſpirators, were, during ſome time, in apprehenſions, leſt deſpair ſhould puſh him into ſome dangerous meaſure; when they heard, that, after a long combat between fear and rage, he had at laſt abandoned all hopes of ſucceſs, and had retired into Holland. He lived in a private manner at Amſterdam; and for greater ſecurity deſired to be admitted into the magiſtracy of that city: But his former violent counſels againſt the Dutch commonwealth were remembered; and all applications from him were rejected. He died ſoon after; and his end gave neither ſorrow to his friends, nor joy to his enemies. His furious temper, notwithſtanding his capacity, had done great injury to the cauſe, in which he was engaged. The violences and iniquities, which he ſuggeſted and encouraged, were greater than even faction itſelf could endure; and men could not Shafteſbury retires and dies.

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forbear ſometimes recollecting, that the ſame perſon, who was become ſo zealous a patriot, was once a moſt proſtitute courtier. It is remarkable, that this man, whoſe principles and conduct were, in all other reſpects, ſo exceptionable, proved an excellent chancellor; and that all his decrees, while he poſſeſſed that high office, were equally remarkable for juſtneſs and for integrity. So difficult is it to find in hiſtory a character either wholly bad or perfectly good; though the prejudices of party make writers run eaſily into the extremes both of panegyric and of ſatyre!

AFTER Shafteſbury's departure, the conſpirators found ſome difficulty in renewing the correſpondence with the city malcontents, who had been accuſtomed to depend ſolely on that nobleman. Their common hopes, however, as well as common fears, made them at laſt have recourſe to each other; and a regular project of an inſurrection was again formed. A council of ſix was erected, conſiſting of Monmouth, Ruſſel, Eſſex, Howard, Algernon Sidney, and John Hambden, grandſon of the great parliamentary leader. Theſe men entered into an agreement with Argyle and the Scottiſh malcontents; who engaged, that, upon the payment of 10,000 pounds for the purchaſe of arms in Holland, they would bring the covenanters into the field. Inſurrections likewiſe were anew projected in Cheſhire and the weſt, as well as in the city; and ſome meetings of the leaders were held, in order to reduce theſe projects into form. The conſpirators differed extremely in their views. Sidney was paſſionate for a commonwealth. Eſſex had embraced the ſame project. But Monmouth had entertained hopes of acquiring the crown for himſelf. Ruſſel, as well as Hambden, was much attached to the ancient conſtitution, and propoſed only the excluſion of the duke and the redreſs of grievances. Lord Howard was a man of no prin-

principle, and was ready to embrace any party, which his immediate intereſt ſhould recommend to him. But notwithſtanding this difference of characters and of views, their common hatred of the duke and the preſent adminiſtration united them in one party; and the dangerous experiment of an inſurrection was fully reſolved on. CHAP. LXIX. 1683.

WHILE theſe ſchemes were concerting among the leaders, there was an inferior order of conſpirators, who held frequent meetings; and, together with the inſurrection, carried on projects quite unknown to Monmouth, and the cabal of ſix. Among theſe men were colonel Rumſey, an old republican officer, who had diſtinguiſhed himſelf in Portugal, and had been recommended to the king by mareſchal Schomberg; lieutenant colonel Walcot, likewiſe a republican officer; Goodenough, under ſheriff of London, a zealous and noted party-man; Weſt, Tyley, Norton, Ayloffe, lawyers; Ferguſon, Rouſe, Hone, Keiling, Holloway, Bourne, Lee, Rumbald. Moſt of theſe laſt were merchants or tradeſmen; and the only perſons of this confederacy, who had acceſs to the leaders of the party, were Rumſey and Ferguſon. When theſe men met together, they indulged themſelves in the moſt deſperate and moſt criminal diſcourſe: They frequently mentioned the aſſaſſination of the king and the duke, to which they had given the familiar appellation of *lopping*: They even went ſo far as to have thought of a ſcheme for that purpoſe. Rumbald, who was a malſter, poſſeſſed a farm, called the Rye-houſe, which lay on the way to Newmarket, whither the king commonly went once a year, for the diverſion of the races. A plan of this farm had been laid before ſome of the conſpirators by Rumbald, who ſhowed them how eaſy it would be, by over-turning a cart, to ſtop at that place the king's coach; while they might fire upon him from the hedges, and be enabled afterwards, through bye-lanes and croſs Rye-houſe plot.

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the fields, to make their escape. But though the plausibility of this scheme gave great pleasure to the conspirators, no concerted design was as yet laid, nor any men, horses, or arms provided: The whole was little more than loose discourse, the over-flowings of their zeal and rancour. The house, in which the king lived at Newmarket, took fire accidentally; and he was obliged to leave that place eight days sooner than he intended. To this circumstance his safety was afterwards ascribed, when the conspiracy was detected; and the court party could not sufficiently admire the wise dispensations of providence. It is indeed certain, that, as the king had thus unexpectedly left Newmarket, he was worse attended than usual; and Rumbald informed his confederates with regret what a fine opportunity was thus unfortunately lost.

Conspiracy discovered.

AMONG the conspirators I have mentioned Keiling, a salter in London. This man had been engaged in a bold measure, of arresting the mayor of London, at the suit of Papillon and Dubois, the outed sheriffs; and being liable to prosecution for that action, he thought it safest to purchase a pardon, by revealing the conspiracy, in

12th June.

which he was deeply concerned. He brought to secretary Jenkins intelligence of the assassination plot; but as he was a single evidence, the secretary, whom many false plots had probably rendered incredulous, scrupled to issue warrants for the commitment of so great a number of persons. Keiling therefore, in order to fortify his testimony, engaged his brother in treasonable discourse with Goodenough, one of the conspirators; and Jenkins began now to give more attention to the intelligence. The conspirators had got some hint of the danger, in which they were involved; and all of them concealed themselves. One person alone, of the name of Barber, an instrument-maker, was seized; and as his confession

concurred

concurred in many particulars with Keiling's information, the affair ſeemed to be put out of all queſtion; and a more diligent ſearch was every where made after the conſpirators. CHAP. LXIX. 1683.

WEST, the lawyer, and colonel Rumſey, finding the perils, to which they were expoſed in endeavouring to eſcape, reſolved to ſave their own lives at the expence of their companions; and they ſurrendered themſelves with an intention of becoming evidence. Weſt could do little more than confirm the teſtimony of Keiling with regard to the aſſaſſination plot; but Rumſey, beſides additional confirmation of the ſame deſign, was at laſt, though with much difficulty, led to give an account of the meetings at Shephard's. Shephard was immediately apprehended; and had not courage to maintain fidelity to his confederates. Upon his information, orders were iſſued for arreſting the great men engaged in the conſpiracy. Monmouth abſconded: Ruſſel was ſent to the Tower: Gray was arreſted but eſcaped from the meſſenger: Howard was taken, while he concealed himſelf in a chimney; and being a man of profligate morals, as well as indigent circumſtances, he ſcrupled not, in hopes of a pardon and reward, to reveal the whole conſpiracy. Eſſex, Sidney, Hambden were immediately apprehended upon his evidence. Every day ſome of the conſpirators were detected in their lurking-places, and thrown into priſon.

Execution of the conſpirators.

LIEUTENANT COLONEL WALCOT was firſt brought to his trial. This man, who was once noted for bravery, had been ſo far overcome by the love of life, that he had written to ſecretary Jenkins, and had offered upon promiſe of pardon to turn evidence: But no ſooner had he taken this mean ſtep, than he felt more generous ſentiments ariſe in him; and he endeavoured, though in vain, to conceal himſelf. The witneſſes againſt him were

Rumſey,

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Rumsey, West, Shephard, together with Bourne, a brewer. His own letter to the secretary was produced, and rendered the testimony of the witnesses unquestionable. Hone and Rouse were also condemned. These two men, as well as Walcot, acknowledged, at their execution, the justice of the sentence; and from their trial and confession it is sufficiently apparent, that the plan of an insurrection had been regularly formed; and that even the assassination had been often talked of, and not without the approbation of many of the conspirators.

Trial of lord Russel.

THE condemnation of these criminals was probably intended as a preparative to the trial of lord Russel, and served to impress the public with a thorough belief of the conspiracy, as well as a horror against it. The witnesses produced against the noble prisoner were Rumsey, Shephard, and lord Howard. Rumsey swore, that he himself had been introduced to the cabal at Shephard's, where Russel was present; and had delivered them a message from Shaftebury, urging them to hasten the intended insurrection: But had received for answer, that it was found necessary to delay the design, and that Shaftesbury must therefore, for some time, rest contented. This answer, he said, was delivered by Ferguson; but was assented to by the prisoner. He added, that some discourse had been entered into about taking a survey of the guards; and he thought, that Monmouth, Gray, and Armstrong undertook to view them. Shephard deposed, that his house had been beforehand bespoken by Ferguson for the secret meeting of the conspirators, and that he had been careful to keep all his servants from approaching them, and had served them himself. Their discourse, he said, ran chiefly upon the means of surprizing the guards; and it was agreed, that Monmouth and his two friends should take a survey of them. The report, which they brought next meeting, was, that the guards were remiss,

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and that the design was practicable: But he did not affirm, that any resolution was taken of executing it. The prisoner, he thought, was present at both these meetings; but he was sure, that at least he was present at one of them. A declaration, he added, had been read by Ferguson in Russel's presence: The reasons of the intended insurrection were there set forth, and all the public grievances fully displayed. CHAP. LXIX. 1683.

LORD HOWARD had been one of the cabal of six, established after Shaftesbury's flight; and two meetings had been held of the conspirators, one at Hambden's, another at Russel's. Howard deposed, that, at the first meeting, it was agreed to begin the insurrection in the country before the city; the places were fixed, the proper quantity and kind of arms agreed on, and the whole plan of operations concerted: That at the second meeting, the conversation turned chiefly upon their correspondence with Argyle and the discontented Scots, and that the principal management of that affair was entrusted to Sidney, who had sent one Aaron Smith into Scotland with proper instructions. He added, that in these deliberations no question was put or votes collected; but there was no contradiction; and, as he took it, all of them, and the prisoner among the rest, gave their consent.

RUMSEY and Shephard were very unwilling witnesses against lord Russel; and it appears from Gny's Secret History [s], that, if they had pleased, they could have given a more explicit testimony against him. This reluctance, together with the difficulty of recollecting circumstances in a conversation, which had passed above eight months before, and which the persons had not at that time any intention to reveal, may beget some slight objection to

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their

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their evidence. But on the whole, it was undoubtedly proved, that the insurrection had been deliberated on by the prisoner, and fully resolved; the surprisal of the guards deliberated on, but not fully resolved; and that an assassination had never once been mentioned nor imagined by him. So far the matter of fact seems certain: But still, with regard to law, there remained a difficulty, and that of an important nature.

The English laws of treason, both in the manner of defining that crime and in the proof required, are the mildest and most indulgent, and consequently the most equitable, that are any where to be found. The two chief species of treason, contained in the statute of Edward III. are the compassing and intending of the king's death, and the actually levying of war against him; and by the law of Mary, the crime must be proved by the concurring testimony of two witnesses, to some overt act, tending to these purposes. But the lawyers, partly desirous of paying court to the sovereign, partly convinced of ill consequences, which might attend such narrow limitations, had introduced a greater latitude, both in the proof and definition of the crime. It was not required, that the two witnesses should testify the same precise overt act: It was sufficient, that they both testified some overt act of the same treason; and though this evasion may seem a subtilty, it had long prevailed in the courts of judicature, and had at last been solemnly fixed by parliament at the trial of lord Stafford. The lawyers had used the same freedom with the law of Edward III. They had observed, that, by that statute, if a man should enter into a conspiracy for a rebellion, should even fix a correspondence with foreign powers for that purpose, should provide arms and money, yet, if he was detected and no rebellion ensued, he could not be tried for treason. To prevent this inconvenience, which it had been better to remedy

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remedy by a new law, they had commonly laid their indictment for intending the death of the king, and had produced the intention of rebellion as a proof of that other intention. But though this form of indictment and trial was very frequent, and many criminals had received sentence upon it, it was still considered as somewhat irregular, and was plainly confounding, by a sophism, two species of treason, which the statute had accurately distinguished. What made this refinement still more exceptionable, was, that a law had passed soon after the restoration; in which the consulting or intending of a rebellion, was, during Charles's life-time, declared treason; and it was required, that the prosecution should be made within six months after the crime was committed. But notwithstanding this statute, the lawyers had persevered, as they still do persevere, in the old form of indictment; and both Sir Harry Vane and Oliver Plunket, titular primate of Ireland, had been tried by it. Such was the general horror, entertained against the old republicans, and the popish conspirators, that no one had murmured against this interpretation of the statute; and the lawyers thought, that they might follow the precedent, even in the case of the popular and beloved lord Russel. Russel's crime fell plainly within the statute of Charles the IId; but the facts sworn to by Rumsey and Shephard were beyond the six months required by law, and to the other facts Howard was a single witness. To make the indictment, therefore, more extensive, the intention of murdering the king was comprehended in it; and for proof of this intention the conspiracy for raising a rebellion was assigned; and what seemed to bring the matter still nearer, the design of attacking the king's guards.

Russel perceived this irregularity, and desired to have the point argued by counsel: The chief justice told him, that this privilege could not be granted, unless he previ-

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ouſly confeſſed the facts charged upon him. The artificial confounding of the two ſpecies of treaſon, though a practice ſupported by many precedents, is the chief, but not the only hardſhip, of which Ruſſel had reaſon to complain on his trial. His defence was feeble; and he contented himſelf with proteſting, that he never had entertained any deſign againſt the king's life: His veracity would not allow him to deny the conſpiracy for an inſurrection. The jury were men of fair and reputable characters, but zealous royaliſts: After a ſhort deliberation, they brought in the priſoner guilty.

APPLICATIONS were made to the king for a pardon: Even money, to the amount of a hundred thouſand pounds, was offered to the dutcheſs of Portſmouth by the old earl of Bedford, father to Ruſſel. The king was inexorable. He had been extremely harraſſed with the violence of the country party; and he had obſerved, that the priſoner, beſides his ſecret deſigns, had always been carried to the higheſt extremity of oppoſition in parliament. He had even adopted a ſentiment, ſimilar to what we meet with in a letter of the younger Brutus. Had his father, he ſaid, adviſed the king to reject the excluſion-bill, he would be the firſt to move for a parliamentary impeachment againſt him. When ſuch determined reſolution was obſerved, his popularity, his humanity, his juſtice, his very virtues became ſo many crimes, and were uſed as arguments againſt ſparing him. Charles therefore would go no farther than remitting the more ignominious part of the ſentence, which the law requires to be pronounced againſt traitors. "Lord Ruſſel," ſaid he, "ſhall find, that I am poſſeſſed of that prerogative, "which, in the caſe of lord Stafford, he thought proper "to deny me." As the fury of the country party had rendered it impoſſible for the king, without the imminent danger of his crown, to pardon ſo many catholics, whom

he firmly believed innocent, and even affectionate and loyal to him; he probably thought, that, since the edge of the law was now ready to fall upon that party themselves, they could not reasonably expect, that he would interpose to save them. CHAP. LXIX. 1683.

RUSSEL's consort, a woman of virtue, daughter and heir of the good earl of Southampton, threw herself at the king's feet, and pleaded with many tears the merits and loyalty of her father, as an atonement for those errors, into which honest, however mistaken principles had seduced her husband. These supplications were the last instance of female weakness (if they deserve the name) which she betrayed. Finding all applications vain, she collected courage, and not only fortified herself against the fatal blow, but endeavoured by her example to strengthen the resolution of her unfortunate lord. With a tender and decent composure they took leave of each other on the day of his execution. "The bitterness of "death is now past," said he, when he turned from her. Lord Cavendish had lived in the closest intimacy with Russel, and deserted not his friend in the present calamity. He offered to manage his escape, by changing cloaths with him, and remaining at all hazards in his place. Russel refused to save his own life, by an expedient which might expose his friend to so many hardships. When the duke of Monmouth by message offered to surrender himself, if Russel thought that this measure would any wise contribute to his safety; "It will be no advan- "tage to me," he said, "to have my friends die with "me." Some of his expressions discover, not only composure, but good humour in this melancholy extremity. The day before his execution he was seized with a bleeding at the nose. "I shall not now let blood to divert "this distemper," said he to doctor Burnet who attended him, "that will be done to-morrow." A little before

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the ſheriffs conducted him to the ſcaffold, he wound up his watch, "Now I have done," ſaid he, "with time, "and henceforth muſt think ſolely of eternity."

21ſt July. and execution.

THE ſcaffold was erected in Lincoln's Inn Fields, a place diſtant from the Tower; and it was probably intended, by conducting Ruſſel through ſo many ſtreets, to ſhow the mutinous city their beloved leader, once the object of all their confidence, now expoſed to the utmoſt rigours of the law. As he was the moſt popular among his own party; ſo was he ever the leaſt obnoxious to the oppoſite faction: And his melancholy fate united every heart, ſenſible of humanity, in a tender compaſſion for him. Without the leaſt change of countenance, he laid his head on the block; and at two ſtrokes, it was ſevered from his body.

IN the ſpeech, which he delivered to the ſheriffs, he was very anxious to clear his memory from any imputation of ever intending the king's death, or any alteration in the government: He could not explicitely confeſs the projected inſurrection without hurting his friends, who might ſtill be called in queſtion for it; but he did not purge himſelf of that deſign, which, in the preſent condition of the nation, he regarded as no crime. By many paſſages in his ſpeech, he ſeems to the laſt to have lain under the influence of party zeal; a paſſion, which, being nouriſhed by a ſocial temper, and cloathing itſelf under the appearance of principle, it is almoſt impoſſible for a virtuous man, who has acted in public life, ever thoroughly to eradicate. He profeſſed his entire belief in the popiſh plot: And he ſaid, that, though he had often heard the ſeizure of the guards mentioned, he had ever diſapproved of that attempt. To which he added, that the maſſacring of ſo many innocent men in cool blood was ſo like a popiſh practice, that he could not but abhor it. Upon the whole, the integrity and virtuous intentions,

intentions, rather than the capacity, of this unfortunate nobleman, seem to have been the shining parts of his character. CHAP. LXIX. 1683.

ALGERNON SIDNEY was next brought to his trial. This gallant person, son of the earl of Leicester, had entered deeply into the war against the late king; and though no wise tainted with enthusiasm, he had so far shared in all the counsels of the independant republican party, as to have been named on the high court of justice, which tried and condemned that monarch: He thought not proper, however, to take his seat among the judges. He ever opposed Cromwel's usurpation with zeal and courage; and after employing all his efforts against the restoration, he resolved to take no benefit of the general indemnity, but chose voluntary banishment, rather than submit to a government and family, which he abhorred. As long as the republican party had any existence, he was active in every scheme, however unpromising, which tended to promote their cause: But at last, in 1677, finding it necessary for his private affairs to return to England, he had applied for the king's pardon, and had obtained it. When the factions, arising from the popish plot, began to run high, Sidney, full of those ideas of liberty, which he had imbibed from the great examples of antiquity, joined the popular party; and was even willing to seek a second time, through all the horrors of civil war, for his adored republic. Trial of Algernon Sidney.

FROM this imperfect sketch of the character and conduct of this illustrious personage, it may easily be conceived how obnoxious he was become to the court and ministry: What alone renders them blameable was the illegal method, which they took, for effecting their purpose against him. On Sidney's trial they produced a great number of witnesses, who proved the reality of a plot in general; and when the prisoner exclaimed, that

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all these evidences said nothing of him, he was answered, that this method of proceeding, however irregular, had been practised in the prosecutions of the popish conspirators: A topic more fit to condemn one party than to justify the other. The only witness, who deposed against Sidney, was lord Howard; but as the law required two witnesses, a strange expedient was fallen on to supply this deficiency. In ransacking the prisoner's closet, some discourses on government were found; in which he had maintained principles, favourable indeed to liberty, but such as the best and most dutiful subjects in all ages have been known to embrace; the original contract, the source of power from a consent of the people, the lawfulness of resisting tyrants, the preference of liberty to the government of a single person. These papers were asserted to be equivalent to a second witness, and even to many witnesses. The prisoner replied, that there was no other reason for ascribing these papers to him as the author, besides a similitude of hand; a proof, which was never admitted in criminal prosecutions: That allowing him to be the author, he had composed them solely for his private amusement, and had never published them to the world, or even communicated them to any single person: That, when examined, they appeared, by the colour of the ink, to have been written many years before, and were in vain produced as evidence of a present conspiracy against the government: And that where the law positively requires two witnesses, one witness, attended with the most convincing circumstances, could never suffice; much less, when supported by a circumstance so weak and precarious. All these arguments, though urged by the prisoner with great courage and pregnancy of reason, had no influence. The violent and inhuman Jefferies was now chief justice; and by his direction a partial jury was easily prevailed on to give verdict against Sidney.

His

His execution followed a few days after: He complained, and with reaſon, of the iniquity of the ſentence; but he had too much greatneſs of mind to deny thoſe conſpiracies with Monmouth and Ruſſel, in which he had been engaged. He rather gloried, that he now ſuffered for that *good old cauſe*, in which, from his earlieſt youth, he ſaid, he had inliſted himſelf. CHAP. LXIX. 1683. 17th Dec. His execution.

THE execution of Sidney is regarded as one of the greateſt blemiſhes of the preſent reign. The evidence againſt him, it muſt be confeſſed, was not legal; and the jury, who condemned him, were, for that reaſon, very blameable. But that after ſentence paſſed by a court of judicature, the king ſhould interpoſe and pardon a man, who, though otherwiſe poſſeſſed of great merit, was undoubtedly guilty, who had ever been a moſt inflexible and moſt inveterate enemy to the royal family, and who lately had even abuſed the king's clemency, might be an act of heroic generoſity, but can never be regarded as a neceſſary and indiſpenſible duty.

HOWARD was alſo the ſole evidence againſt Hambden; and his teſtimony was not ſupported by any material circumſtance. The crown-lawyers therefore found it vain to try the priſoner for treaſon: They laid the indictment only for a miſdemeanour, and obtained ſentence againſt him. The fine impoſed was exorbitant; no leſs than forty thouſand pounds.

HOLLOWAY, a merchant of Briſtol, one of the conſpirators, had fled to the Weſt Indies, and was now brought over. He had been out-lawed; but the year, allowed him for ſurrendering himſelf, was not expired. A trial was therefore offered him: But as he had at firſt confeſſed his being engaged in a conſpiracy for an inſurrection, and even allowed that he had heard ſome diſcourſe of an aſſaſſination, though he had not approved of it, he thought it more expedient to throw himſelf on the king's

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mercy. He was executed, perſiſting in the ſame confeſſion.

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Sir Thomas Armstrong, who had been ſeized in Holland, and ſent over by Chidley, the king's miniſter, was preciſely in the ſame ſituation with Holloway: But the ſame favour, or rather juſtice, was refuſed him. The lawyers pretended, that, unleſs he had voluntarily ſurrendered himſelf before the expiration of the time aſſigned, he could not claim the privilege of a trial; not conſidering, that the ſeizure of his perſon ought in equity to be ſuppoſed the accident which prevented him. The king bore a great enmity againſt this gentleman, by whom he believed the duke of Monmouth to have been ſeduced from his duty: He alſo aſſerted, that Armſtrong had once promiſed Cromwel to aſſaſſinate him; though it muſt be confeſſed, that the priſoner juſtified himſelf from this imputation by very ſtrong arguments. Theſe were the reaſons of that injuſtice, which was now done him. It was apprehended, that ſufficient evidence of his guilt could not be produced; and that even the partial juries, which were now returned, and which allowed themſelves to be entirely directed by Jefferies and other violent judges, would not give ſentence againſt him.

On the day that Ruſſel was tried, Eſſex, a man eminent both for virtues and abilities, was found in the Tower with his throat cut. The coroner's inqueſt brought in their verdict, *ſelf-murther*: Yet becauſe two children ten years old (one of whom too departed from his evidence) had affirmed, that they heard a great noiſe from his window, and that they ſaw a hand throw out a bloody razor; theſe circumſtances were laid hold of, and the murder was aſcribed to the king and the duke, who happened that morning to pay a viſit to the Tower. Eſſex was ſubject to fits of deep melancholy, and had been ſeized with one immediately upon his commitment: He was accuſtomed

to

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to maintain the lawfulneſs of ſuicide: And his counteſs, upon a ſtrict enquiry, which was committed to the care of Dr. Burnet, found no reaſon to confirm the ſuſpicion: Yet could not all theſe circumſtances, joined to many others, entirely remove the imputation. It is no wonder, that faction is ſo productive of vices of all kinds: For, beſides that it inflames all the paſſions, it tends much to remove thoſe great reſtraints, honour and ſhame; when men find, that no iniquity can loſe them the applauſe of their own party, and no innocence ſecure them againſt the calumnies of the oppoſite.

But though there is no reaſon to think, that Eſſex had been murdered by any orders from court, it muſt be acknowledged, that an unjuſtifiable uſe in Ruſſel's trial was made of that incident. The king's council mentioned it in their pleadings as a ſtrong proof of the conſpiracy; and it is ſaid to have had great weight with the jury. It was inſiſted on in Sidney's trial for the ſame purpoſe.

State of the nation.

Some memorable cauſes, tried about this time, though they have no relation to the Rye-houſe conſpiracy, ſhow the temper of the bench and of the juries. Oates was convicted of having called the duke a popiſh traitor; was fined to the amount of one hundred thouſand pounds; and was condemned to priſon till he ſhould make payment. A like ſentence was paſſed upon Dutton-Colt for a like offence. Sir Samuel Barnardiſton was fined ten thouſand pounds; becauſe, in ſome private letters, which had been intercepted, he had reflected on the government. This gentleman was obnoxious, becauſe he had been foreman of that jury, which rejected the bill againſt Shafteſbury. A pretence was therefore fallen upon for puniſhing him; though ſuch a precedent may juſtly be eſteemed a very unuſual act of ſeverity, and ſufficient to deſtroy all confidence in private friendſhip and correſpondence.

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THERE is another remarkable trial, which ſhows the diſpoſition of the courts of judicature, and which, though it paſſed in the enſuing year, it may not be improper to relate in this place. One Roſewel, a preſbyterian preacher, was accuſed by three women of having ſpoken treaſonable words in a ſermon. They ſwore to two or three periods, and agreed ſo exactly together, that there was not the ſmalleſt variation in their depoſitions. Roſewel on the other hand made a very good defence. He proved, that the witneſſes were lewd and infamous perſons. He proved, that, even during Cromwel's uſurpations, he had always been a royaliſt; that he prayed conſtantly for the king in his family; and that in his ſermons he often inculcated the obligations of loyalty. And as to the ſermon, of which he was accuſed, ſeveral witneſſes, who heard it, and ſome who wrote it in ſhort hand, depoſed that he had uſed no ſuch expreſſions as thoſe which were imputed to him. He offered his own notes as a farther proof. The women could not ſhow by any circumſtance or witneſs, that they were at his meeting. And the expreſſions, to which they depoſed, were ſo groſs, that no man in his ſenſes could be ſuppoſed to employ them before a mixt audience. It was alſo urged, that it appeared next to impoſſible for three women to remember ſo long a period upon one ſingle hearing, and to remember it ſo exactly, as to agree to a tittle in their depoſitions with regard to it. The priſoner offered to put the whole upon this iſſue: He would pronounce, with his uſual tone of voice, a period as long as that to which they had ſworn; and then let them try to repeat it, if they could. What was more unaccountable, they had forgot even the text of his ſermon; nor did they remember any ſingle paſſage, but the words, to which they gave evidence. After ſo ſtrong a defence, the ſolicitor general thought not proper to make any

any reply: Even Jefferies went no farther than ſome general declamations againſt conventicles and preſbyterians: Yet ſo violent were party-prejudices, that the jury gave a verdict againſt the priſoner; which however appeared ſo palpably unjuſt, that it never was carried into execution. CHAP. LXIX. 1683.

THE duke of Monmouth had abſconded on the firſt diſcovery of the conſpiracy; and the court could get no intelligence of him. At laſt, Hallifax, who began to apprehend the too great prevalence of the royal party, and who thought, that Monmouth's intereſt would prove the beſt counterpoize to the duke's, diſcovered his retreat, and prevailed on him to write two letters to the king, full of the tendereſt and moſt ſubmiſſive expreſſions. The king's fondneſs was revived; and he permitted Monmouth to come to court. He even endeavoured to mediate a reconciliation between his ſon and his brother; and having promiſed Monmouth, that his teſtimony ſhould never be employed againſt any of his friends, he engaged him to give a full account of the plot. But, in order to put the country party to ſilence, he called next day an extraordinary council; and informed them, that Monmouth had ſhowed great penitence for the ſhare, which he had had in the late conſpiracy, and had expreſſed his reſolutions never more to engage in ſuch criminal enterprizes. He went ſo far as to give orders, that a paragraph to the like purpoſe ſhould be inſerted in the Gazette. Monmouth kept ſilence till he had obtained his pardon in form: But finding, that, by taking this ſtep, he was entirely diſgraced with his party, and that, even though he ſhould not be produced in court as an evidence, his teſtimony, being ſo publicly known, might have weight with juries on any future trial, he reſolved at all hazards to retrieve his honour. His emiſſaries, therefore, received orders to deny, that he had ever made any ſuch confeſſion as that which

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which was imputed to him; and the party exclaimed, that the whole was an impoſture of the court. The king, provoked at this conduct, baniſhed Monmouth his preſence, and afterwards ordered him to depart the kingdom.

THE court was aware, that the malcontents in England had held a correſpondence with thoſe of Scotland; and that Baillie of Jerviſwood, a man of merit and learning, with two gentlemen of the name of Campbel, had come to London, under pretence of negociating the ſettlement of the Scotch preſbyterians in Carolina, but really with a view of concerting meaſures with the Engliſh conſpirators. Baillie was ſent priſoner to Edinburgh; and as no evidence appeared againſt him, the council required him to ſwear, that he would anſwer all queſtions, which ſhould be propounded to him. He refuſed to ſubmit to ſo iniquitous a condition; and a fine of ſix thouſand pounds was impoſed upon him. At laſt, two perſons, Spence and Carſtares, being put to the torture, gave evidence which involved the earl of Tarras and ſome others, who, in order to ſave themſelves from attainder, were reduced to accuſe Baillie. He was brought to trial; and being in ſo languiſhing a condition from the treatment, which he had met with in priſon, that it was feared he would not ſurvive that night, he was ordered to be executed the very afternoon, on which he received ſentence.

THE ſeverities, exerciſed during this part of the preſent reign, were much contrary to the uſual tenor of the king's conduct; and though thoſe who ſtudied his character more narrowly, have pronounced, that towards great offences he was rigid and inexorable, the nation were more inclined to aſcribe every unjuſt or hard meaſure to the prevalence of the duke, into whoſe hands the king had, from indolence, not from any opinion of his brother's ſuperior capacity, reſigned the reins of government.

The

The crown indeed gained great advantage from the detection of the conſpiracy, and loſt none by the rigorous execution of the conſpirators: The horror, entertained againſt the aſſaſſination-plot, which was generally confounded with the project for an inſurrection, rendered the whole party unpopular, and reconciled the nation to the meaſures of the court. The moſt loyal addreſſes came from all parts; and the doctrine of ſubmiſſion to the civil magiſtrate, and even of an unlimited paſſive obedience, became the reigning principle of the times. The univerſity of Oxford paſſed a ſolemn decree, condemning ſome doctrines, which they denominated republican, but which indeed are, moſt of them, the only tenets, on which liberty and a limited conſtitution can be founded. The faction of the excluſioniſts, lately ſo numerous, powerful, and zealous, were at the king's feet; and were as much fallen in their ſpirit as in their credit with the nation. Nothing, that had the leaſt appearance of oppoſition to the court, could be hearkened to by the public. CHAP. LXIX. 1683.

THE king endeavoured to encreaſe his preſent popularity by every art; and knowing, that the ſuſpicion of popery was of all others the moſt dangerous, he judged it proper to marry his niece, the lady Anne, to prince George, brother of the king of Denmark. All the credit, however, and perſuaſion of Halifax could not engage him to call a parliament, or truſt the nation with the election of a new repreſentative. Though his revenues were extremely burthened, he choſe rather to ſtruggle with the preſent difficulties, than try an experiment, which, by raiſing afreſh ſo many malignant humours, might prove dangerous to his repoſe. The duke likewiſe zealouſly oppoſed this propoſal, and even engaged the king in meaſures, which could have no tendency, but to render any 1684.

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any accommodation with a parliament altogether impracticable. Williams, who had been ſpeaker during the two laſt parliaments, was proſecuted for warrants, iſſued by him, in obedience to orders of the houſe: A breach of privilege, which, it ſeemed not likely, any future houſe of commons would leave unqueſtioned. Danby and the popiſh lords, who had ſo long been confined to the Tower, and who ſaw no proſpect of a trial in parliament, applied by petition, and were admitted to bail: A meaſure juſt in itſelf, but deemed a great encroachment on the privileges of that aſſembly. The duke, contrary to law, was reſtored to the office of high admiral, without taking the teſt.

HAD the leaſt grain of jealouſy or emulation been mixed in the king's character; had he been actuated by that concern for his people's or even for his own honour, which his high ſtation demanded, he would have hazarded many domeſtic inconveniencies rather than allow France to domineer in ſo haughty a manner as that which at preſent ſhe aſſumed in every negotiation. The peace of Nimeguen, impoſed by the Dutch on their unwilling allies, had disjointed the whole confederacy; and all the powers, engaged in it, had diſbanded their ſupernumerary troops, which they found it difficult to ſubſiſt. Lewis alone ſtill maintained a powerful army, and by his preparations rendered himſelf every day more formidable. He now acted as if he were the ſole ſovereign in Europe, and as if all other princes were ſoon to become his vaſſals. Courts or chambers were erected in Metz and Briſac, for re-uniting ſuch territories as had ever been members of any part of his new conqueſts. They made enquiry into titles buried in the moſt remote antiquity. They cited the neighbouring princes to appear before them, and iſſued decrees, expelling them the conteſted territories. The important town of Straſbourg, an ancient and a free

State of foreign affairs.

free ſtate, was ſeized by Lewis: Aloſt was demanded of the Spaniards, on a frivolous, and even ridiculous pretence; and upon their refuſal to yield it, Luxembourg was blockaded, and ſoon after taken. Genoa had been bombarded, becauſe the Genoeſe had ſtipulated to build ſome gallies for the Spaniards; and in order to avoid a more ſevere fate, that republic was obliged to yield to the moſt mortifying conditions. The empire was inſulted in its head and principal members; and uſed no other expedient for redreſs, than impotent complaints and remonſtrances. CHAP. LXIX. 1684.

SPAIN was ſo enraged at the inſolent treatment which ſhe met with, that, without conſidering her preſent weak condition, ſhe declared war againſt her haughty enemy: She hoped, that the other powers of Europe, ſenſible of the common danger, would fly to her aſſiſtance. The prince of Orange, whoſe ruling paſſions were the love of war and animoſity againſt France, ſeconded every where the applications of the Spaniards. In the year 1681, he made a journey to England, in order to engage the king into cloſer meaſures with the confederates. He alſo propoſed to the States to make an augmentation of their forces; but ſeveral of the provinces, and even the town of Amſterdam, had been gained by the French, and the propoſal was rejected. The prince's enemies derived the moſt plauſible reaſons of their oppoſition from the ſituation of England, and the known and avowed attachments of the Engliſh monarch.

No ſooner had Charles diſmiſſed his parliament, and embraced the reſolution of governing by prerogative alone, than he dropped his new alliance with Spain, and returned to his former dangerous connexions with Lewis. This prince had even offered to make him arbiter of his differences with Spain; and the latter power, ſenſible of Charles's partiality, had refuſed to ſubmit to ſuch a diſ-

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advantageous propoſal. Whether any money was now remitted to England, we do not certainly know: But we may fairly preſume, that the king's neceſſities were in ſome degree relieved by France [t]. And though Charles had reaſon to apprehend the utmoſt danger from the great, and ſtill encreaſing, naval power of that kingdom, joined to the weak condition of the Engliſh fleet, no conſideration was able to rouze him from his preſent lethargy.

It is here we are to fix the point of the higheſt exaltation, which the power of Lewis or that of any European prince, ſince the age of Charlemagne, had ever attained. The monarch, moſt capable of oppoſing his progreſs, was entirely engaged in his intereſts; and the Turks, invited by the malcontents of Hungary, were preparing to invade the emperor, and to diſable that prince from making head againſt the progreſs of the French power. Lewis may even be accuſed of overſight, in not making ſufficient advantage of ſuch favourable opportunities, which he was never afterwards able to recall. But that monarch, though more governed by motives of ambition than by thoſe of juſtice or mode-

[t] The following paſſage is an extract from M. Barillon's letters kept in the *Depot des Affaires etrangeres* at Verſailles. It was lately communicated to the author while in France. Convention verbale arretée le 1 avril 1681. Charles 2 s'engage a ne rien omettre pour pouvoir faire connoitre à ſa majeſté qu'elle avoit raiſon de prendre confiance en lui; a ſe degager peu a peu de l'alliance avec l'Eſpagne, & a ſe mettre en etat de ne point etre contraint par ſon parlement de faire quelque choſe d'oppoſé aux nouveaux engagemens qu'il prenoit. En conſequence le roi promet un ſubſide de deux millions la premiere des trois années de cet engagement & 500,000 écus les deux autres, ſe contentant de la parole de ſa majeſté Britannique, d'agir a l'egard de ſa majeſté conformement aux obligations qu'il lui avoit. Le Sr. Hyde demanda que le roi s'engagea a ne point attaquer les pays bas & meme Straſbourg, temoignant que le roi ſon maitre ne pourroit s'empecher de ſecourir les païs bas, quand même ſon parlement ne ſeroit point aſſemblé. M. Barillon lui repondit en termes generaux par ordre du roi, que ſa majeſté n'avoit point intention de rompre la paix, & qu'il n'engageroit pas ſa majeſté Britannique en choſes contraires à ſes veritables interets.

ration, was still more actuated by the suggestions of vanity. He contented himself with insulting and domineering over all the princes and free states of Europe; and he thereby provoked their resentment, without subduing their power. While every one, who approached his person, and behaved with submission to his authority, was treated with the highest politeness; all the neighbouring potentates had successively felt the effects of his haughty imperious disposition. And by indulging his poets, orators, and courtiers in their flatteries, and in their prognostications of universal empire, he conveyed faster, than by the prospect of his power alone, the apprehension of general conquest and subjection. CHAP. LXIX. 1684.

THE French greatness never, during his whole reign, inspired Charles with any apprehensions; and Clifford, it is said, one of his most favoured ministers, went so far as to affirm, that it were better for the king to be viceroy under a great and generous monarch, than a slave to five hundred of his own insolent subjects. The ambition, therefore, and uncontrouled power of Lewis were no diminution of Charles's happiness; and in other respects his condition seemed at present more eligible than it had ever been since his restoration. A mighty faction, which had shaken his throne, and menaced his family, was totally subdued; and by their precipitate indiscretion had exposed themselves both to the rigour of the laws and to public hatred. He had recovered his former popularity in the nation; and what probably pleased him more than having a compliant parliament, he was enabled to govern altogether without one. But it is certain, that the king, amidst all these promising circumstances, was not happy or satisfied. Whether he found himself exposed to difficulties for want of money, or dreaded a recoil of the popular humour from the present arbitrary measures, is uncer- 1685.

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uncertain. Perhaps the violent, imprudent temper of the duke, by puſhing Charles upon dangerous attempts, gave him apprehenſion and uneaſineſs. He was overheard to ſay one day, in oppoſing ſome of the duke's haſty counſels, "Brother, I am too old to go again to my "travels: You may, if you chooſe it." Whatever was the cauſe of the king's diſſatisfaction, it ſeems probable, that he was meditating ſome change of meaſures, and had formed a new plan of adminiſtration. He was determined, it is thought, to ſend the duke to Scotland, to recall Monmouth, to ſummon a parliament, to diſmiſs all his unpopular miniſters, and to throw himſelf entirely on the good will and affection of his ſubjects [u]. Amidſt theſe truly wiſe and virtuous deſigns, he was ſeized with a ſudden fit, which reſembled an apoplexy; and though he was recovered from it by bleeding, he languiſhed only for a few days, and then expired, in the fifty-fifth year of his age, and twenty-fifth of his reign. He was ſo happy in a good conſtitution of body, and had ever been ſo remarkably careful of his health, that his death ſtruck as great a ſurprize into his ſubjects, as if he had been in the flower of his youth. And their great concern for him, owing to their affection for his perſon, as well as their dread of his ſucceſſor, very naturally, when joined to the critical time of his death, begot the ſuſpicion of poiſon. All circumſtances however conſidered, this ſuſpicion muſt be allowed to vaniſh; like many others, of which all hiſtories are full.

King's ſickneſs, and death, 6th Feb.

During the few days of the king's illneſs, clergymen of the church of England attended him; but he diſcovered a total indifference towards their devotions and exhortations. Catholic prieſts were brought, and he received the ſacrament from them, accompanied with the other rites of the Romiſh church. Two papers were found in

[u] King James's Memoirs confirm this rumor.

his

his closet, written with his own hand, and containing arguments in favour of that communion. The duke had the imprudence immediately to publish these papers, and thereby both confirmed all the reproaches of those who had been the greatest enemies to his brother's measures, and afforded to the world a specimen of his own bigotry. CHAP. LXIX. 1685.

If we survey the character of Charles II. in the different lights, which it will admit of, it will appear various, and give rise to different and even opposite sentiments. When considered as a companion, he appears the most amiable and engaging of men; and indeed, in this view, his deportment must be allowed altogether unexceptionable. His love of raillery was so tempered with good breeding, that it was never offensive: His propensity to satyre was so checked with discretion, that his friends never dreaded their becoming the object of it: His wit, to use the expression of one, who knew him well, and who was himself an exquisite judge [x], could not be said so much to be very refined or elevated, qualities apt to beget jealousy and apprehension in company, as to be a plain, gaining, well-bred, recommending kind of wit. And though perhaps he talked more than strict rules of behaviour might permit, men were so pleased with the affable, communicative deportment of the monarch, that they always went away contented both with him and with themselves. This indeed is the most shining part of the king's character; and he seems to have been sensible of it: For he was fond of dropping the formality of state, and of relapsing every moment into the companion. and character.

In the duties of private life, his conduct, though not free from exception, was, in the main, laudable. He was an easy generous lover, a civil obliging husband, a friendly brother, an indulgent father, and a good natured

x Marquess of Halifax.

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maſter[y]. The voluntary friendſhips, however, which this prince contracted, nay, even his ſenſe of gratitude, were feeble; and he never attached himſelf to any of his miniſters or courtiers with a ſincere affection. He believed them to have no motive in ſerving him but ſelf-intereſt; and he was ſtill ready, in his turn, to ſacrifice them to preſent eaſe or convenience.

WITH a detail of his private character we muſt ſet bounds to our panegyric on Charles. The other parts of his conduct may admit of ſome apology, but can deſerve ſmall applauſe. He was indeed ſo much fitted for private life, preferably to public, that he even poſſeſſed order, frugality, and œconomy in the former: Was profuſe, thoughtleſs, and negligent in the latter. When we conſider him as a ſovereign, his character, though not altogether deſtitute of virtue, was in the main dangerous to his people, and diſhonourable to himſelf. Negligent of the intereſts of the nation, careleſs of its glory, averſe to its religion, jealous of its liberty, laviſh of its treaſure, ſparing only of its blood; he expoſed it by his meaſures, though he appeared ever but in ſport, to the danger of a furious civil war, and even to the ruin and ignominy of a foreign conqueſt. Yet may all theſe enormities, if fairly and candidly examined, be imputed, in a great meaſure, to the indolence of his temper; a fault, which, however unfortunate in a monarch, it is impoſſible for us to regard with great ſeverity.

IT has been remarked of Charles, that he never ſaid a fooliſh thing, nor ever did a wiſe one: A cenſure, which, though too far carried, ſeems to have ſome foundation in his character and deportment. When the king was informed of this ſaying, he obſerved, that the matter was eaſily accounted for: For that his diſcourſe was his own; his actions were the miniſtry's.

[y] Duke of Buckingham.

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If we reflect on the appetite for power, inherent in human nature, and add to it, the king's education in foreign countries, and among the cavaliers, a party which would naturally exaggerate the late uſurpations of popular aſſemblies upon the rights of monarchy; it is not ſurprizing, that civil liberty ſhould not find in him a very zealous patron. Harraſſed with domeſtic faction, weary of calumnies and complaints, oppreſſed with debts, ſtraitened in his revenue, he ſought, though with feeble efforts, for a form of government, more ſimple in its ſtructure and more eaſy in its management. But his attachment to France, after all the pains, which we have taken, by enquiry and conjecture, to fathom it, contains ſtill ſomething, it muſt be confeſſed, myſterious and inexplicable. The hopes of rendering himſelf abſolute by Lewis's aſſiſtance ſeem ſo chimerical, that they could ſcarcely be retained with ſuch obſtinacy by a prince of Charles's penetration: And as to pecuniary ſubſidies, he ſurely ſpent much greater ſums in one ſeaſon, during the ſecond Dutch war, than were remitted from France during the whole courſe of his reign. I am apt therefore to imagine, that Charles was in this particular guided chiefly by inclination, and by a prepoſſeſſion in favour of the French nation. He conſidered that people as gay, ſprightly, polite, elegant, courteous, devoted to their prince, and attached to the catholic faith; and for theſe reaſons he cordially loved them. The oppoſite character of the Dutch had rendered them the objects of his averſion; and even the uncourtly humours of the Engliſh made him very indifferent towards them. Our notions of intereſt are much warped by our affections; and it is not altogether without example, that a man may be guided by national prejudices, who has ever been little biaſſed by private and perſonal friendſhip.

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THE character of this prince has been elaborately drawn by two great maſters, perfectly well acquainted with him, the duke of Buckingham and the marqueſs of Halifax; not to mention ſeveral elegant ſtrokes given by Sir William Temple. Dr. Welwood likewiſe and biſhop Burnet have employed their pencil on the ſame ſubject: But the former is ſomewhat partial in his favour; as the latter is by far too harſh and malignant. Inſtead of finding an exact parallel between Charles II. and the emperor Tiberius, as that prelate pretends, it would be more juſt to remark a full contraſt and oppoſition. The emperor ſeems as much to have ſurpaſſed the king in abilities, as he falls ſhort of him in virtue. Provident, wiſe, active, jealous, malignant, dark, ſullen, unſociable, reſerved, cruel, unrelenting, unforgiving; theſe are the lights, under which the Roman tyrant has been tranſmitted to us. And the only circumſtance, in which, it can juſtly be pretended, he was ſimilar to Charles, is his love of women; a paſſion, which is too general to form any ſtriking reſemblance, and which that deteſtable and deteſted monſter ſhared alſo with unnatural appetites.

JAMES II.

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King's first transactions——A parliament——Arguments for and against a revenue for life——Oates convicted of perjury——Monmouth's invasion——His defeat——and execution——Cruelties of Kirke——and of Jefferies——State of affairs in Scotland——Argyle's invasion——defeat——and execution——A parliament——French persecutions——The dispensing power——State of Ireland——Breach betwixt the king and the church——Court of ecclesiastical commission——Sentence against the bishop of London——Suspension of the penal laws——State of Ireland——Embassy to Rome——Attempt upon Magdalen College——Imprisonment——trial, and acquittal of the bishops——Birth of the prince of Wales.

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King's first transactions.

THE first act of James's reign was to assemble the privy council; where, after some praises bestowed on the memory of his predecessor, he made professions of his resolution to maintain the established government, both in church and state. Though he had been reported, he said, to have imbibed arbitrary principles, he knew that the laws of England were sufficient to make him as great a monarch as he could wish; and he was determined never to depart from them. And as he had heretofore ventured his life in defence of the nation, he

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would ſtill go as far as any man in maintaining all its juſt rights and liberties.

THIS diſcourſe was received with great applauſe, not only by the council, but by the nation. The king univerſally paſſed for a man of great ſincerity and great honour; and as the current of favour ran at that time for the court, men believed, that his intentions were conformable to his expreſſions. "We have now," it was ſaid, "the word of a king; and a word never yet "broken." Addreſſes came from all quarters, full of duty, nay, of the moſt ſervile adulation. Every one haſtened to pay court to the new monarch [z]: And James had reaſon to think, that, notwithſtanding the violent efforts made by ſo potent a party for his excluſion, no throne in Europe was better eſtabliſhed than that of England.

THE king, however, in the firſt exerciſe of his authority, ſhewed, that either he was not ſincere in his profeſſions of attachment to the laws, or that he had entertained ſo lofty an idea of his own legal power, that even his utmoſt ſincerity would tend very little to ſecure the liberties of the people. All the cuſtoms and the greater part of the exciſe had been ſettled by parliament on the late king during life, and conſequently the grant was now expired; nor had the ſucceſſor any right to levy theſe branches of revenue. But James iſſued a proclamation, ordering the cuſtoms and exciſe to be paid as before; and this exertion of power he would not deign to qualify by the leaſt act or even appearance of condeſcen-

[z] The quakers' addreſs was eſteemed ſomewhat ſingular for its plainneſs and ſincerity. It was conceived in theſe terms: "We are come to teſtify "our ſorrow for the death of our good friend Charles, and our joy for thy "being made our governor. We are told thou art not of the perſuaſion of "the church of England, no more than we: Wherefore we hope thou wilt "grant us the ſame liberty, which thou alloweſt thyſelf. Which doing, we "wiſh thee all manner of happineſs."

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sion. It was proposed to him, that, in order to prevent the ill effects of any intermission in levying these duties, entries should be made, and bonds for the sums be taken of the merchants and brewers: But the payment be suspended till the parliament should give authority to receive it. This precaution was recommended as an expression of deference to that assembly, or rather to the laws: But for that very reason probably, it was rejected by the king, who thought, that the commons would thence be invited to assume more authority, and would regard the whole revenue, and consequently the whole power, of the crown, as dependant on their good will and pleasure. CHAP. LXX. 1685.

THE king likewise went openly, and with all the ensigns of his dignity, to mass, an illegal meeting: And by this imprudence he displayed at once his arbitrary disposition, and the bigotry of his principles: These two great characteristics of his reign and bane of his administration. He even sent Caryl, as his agent, to Rome, in order to make submissions to the pope, and to pave the way for a solemn re-admission of England into the bosom of the catholic church. The pope, Innocent the XIth, prudently advised the king not to be too precipitate in his measures, nor rashly attempt what repeated experience might convince him was impracticable. The Spanish ambassador, Ronquillo, deeming the tranquillity of England necessary for the support of Spain, used the freedom to make like remonstrances. He observed to the king how busy the priests appeared at court, and advised him not to assent with too great facility to their dangerous counsels. "Is it not the custom of Spain," said James, "for the king to consult with his confessor?" "Yes," replyed the ambassador, "and it is for that very reason "our affairs succeed so ill."

JAMES gave hopes on his accession, that he would hold the balance of power more steadily than his predecessor;

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and that France, inſtead of rendering England ſubſervient to her ambitious projects, would now meet with ſtrong oppoſition from that kingdom. Beſides applying himſelf to buſineſs with induſtry, he ſeemed jealous of national honour, and expreſſed great care, that no more reſpect ſhould be payed to the French ambaſſador at London than his own received at Paris. But theſe appearances were not ſufficiently ſupported; and he found himſelf by degrees under the neceſſity of falling into an union, at leaſt of living on good terms, with that great monarch, who, by his power as well as his zeal, ſeemed alone capable of aſſiſting him, in the projects formed for promoting the catholic religion in England.

NOTWITHSTANDING the king's prejudices, all the chief officers of the crown continued ſtill in the hands of proteſtants. Rocheſter was treaſurer; his brother Clarendon chamberlain; Godolphin chamberlain to the queen; Sunderland ſecretary of ſtate; Hallifax preſident of the council. This nobleman had ſtood in oppoſition to James during the laſt years of his brother's reign; and when he attempted, on the acceſſion, to make ſome apology for his late meaſures, the king told him, that he would forget every thing paſt, except his behaviour during the bill of excluſion. In other reſpects, however, James appeared not of ſo forgiving a temper. When the principal excluſioniſts came to pay their reſpects to the new ſovereign, they either were not admitted, or were received very coldly, ſometimes even with frowns. This conduct might ſuit the character, which the king ſo much affected, of ſincerity: But by ſhowing, that a king of England could reſent the quarrels of a duke of York, he gave his people no high idea either of his lenity or magnanimity.

ON all occaſions, the king was open in declaring, that men muſt now look for a more active and more vigilant

vigilant government, and that he would retain no minis- CHAP. LXX.
ters, who did not practise an unreserved obedience to his commands. We are not indeed to look for the springs of his administration so much in his council and chief officers of state, as in his own temper, and in the character of those persons, with whom he secretly consulted. The queen had great influence over him; a woman of spirit, whose conduct had been popular till she arrived at that high dignity. She was much governed by the priests, especially the jesuits; and as these were also the king's favourites, all public measures were taken originally from the suggestions of these men, and bore evident marks of their ignorance in government, and of the violence of their religious zeal. 1685.

THE king however had another attachment, seemingly not very consistent with this devoted regard to his queen and to his priests: It was to Mrs. Sedley, whom he soon after created countess of Dorchester, and who expected to govern him with the same authority, which the dutchess of Portsmouth had possessed during the former reign. But James, who had entertained the ambition of converting his people, was told, that the regularity of his life ought to correspond to the sanctity of his intentions; and he was prevailed with, at first, to remove Mrs. Sedley from court: A resolution in which he had not the courage to persevere. Good agreement between the mistress and the confessor of princes is not commonly a difficult matter to compass: But in the present case these two potent engines of command were found very incompatible. Mrs. Sedley, who possessed all the wit and ingenuity of her father, Sir Charles, made the priests and their counsels the perpetual object of her raillery; and it is not to be doubted, but they, on their part, redoubled their exhortations with their penitent to break off so criminal an attachment.

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How little inclination ſoever the king, as well as his queen and prieſts, might bear to an Engliſh parliament, it was abſolutely neceſſary, at the beginning of the reign, to ſummon that aſſembly. The low condition, into which the whigs or country party had fallen during the laſt years of Charles's reign, the odium under which they laboured on account of the rye-houſe conſpiracy; theſe cauſes made that party meet with little ſucceſs in the elections. The general reſignation too of the charters had made the corporations extremely dependant; and the recommendations of the court, though little aſſiſted, at that time, by pecuniary influence, were become very prevalent. The new houſe of commons, therefore, conſiſted almoſt entirely of zealous tories and churchmen; and were of conſequence ſtrongly byaſſed, by their affections, in favour of the meaſures of the crown.

A parliament.

19th of May.

THE diſcourſe, which the king made to the parliament, was more fitted to work on their fears than their affections. He repeated indeed, and with great ſolemnity, the promiſe which he had made before the privy-council, of governing according to the laws, and of preſerving the eſtabliſhed religion: But at the ſame time he told them, that he poſitively expected they would ſettle his revenue, and during life too, as in the time of his brother. "I might uſe many arguments," ſaid he, "to inforce this demand; the benefit of trade, the ſup-"port of the navy, the neceſſities of the crown, and "the well-being of the government itſelf, which I muſt "not ſuffer to be precarious: But I am confident, that "your own conſideration and your ſenſe of what is juſt "and reaſonable will ſuggeſt to you whatever on this "occaſion might be enlarged upon. There is indeed "one popular argument," added he, "which may be "urged againſt compliance with my demand: Men may "think, that by feeding me from time to time with ſuch "ſupplies

"supplies as they think convenient, they will better se- CHAP. LXX.
"cure frequent meetings of parliament: But as this is
"the first time I speak to you from the throne, I must 1685.
"plainly tell you, that such an expedient would be very
"improper to employ with me, and that the best way
"to engage me to meet you often is always to use me
"well."

It was easy to interpret this language of the king's. He plainly intimated, that he had resources in his prerogative for supporting the government, independant of their supplies; and that so long as they complied with his demands, he would have recourse to them; but that any ill usage on their part would set him free from those measures of government, which he seemed to regard more as voluntary than as necessary. It must be confessed, that no parliament in England was ever placed in a more critical situation, nor where more forcible arguments could be urged, either for their opposition to the court, or their compliance with it.

Reasons for and against a revenue during life.

It was said on the one hand, that jealousy of royal power was the very basis of the English constitution, and the principle, to which the nation was beholden for all that liberty, which they enjoy above the subjects of other monarchies. That this jealousy, though, at different periods, it may be more or less intense, can never safely be laid asleep, even under the best and wisest princes. That the character of the present sovereign afforded cause for the highest vigilance, by reason of the arbitrary principles, which he had imbibed; and still more, by reason of his religious zeal, which it is impossible for him ever to gratify, without assuming more authority than the constitution allows him. That power is to be watched in its very first encroachments; nor is any thing ever gained by timidity and submission. That every concession adds new force to usurpation; and at the same time,

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by discovering the dastardly dispositions of the people, inspires it with new courage and enterprize. That as arms were intrusted altogether in the hands of the prince, no check remained upon him but the dependant condition of his revenue; a security therefore which it would be the most egregious folly to abandon. That all the other barriers, which, of late years, had been erected against arbitrary power, would be found, without this capital article, to be rather pernicious and destructive. That new limitations in the constitution stimulated the monarch's inclination to surmount the laws, and required frequent meetings of parliament, in order to repair all the breaches, which either time or violence may have made upon that complicated fabric. That recent experience during the reign of the late king, a prince who wanted neither prudence nor moderation, had sufficiently proved the solidity of all these maxims. That his parliament, having rashly fixed his revenue for life, and at the same time repealed the triennial bill, found that they themselves were no longer of importance, and that liberty, not protected by national assemblies, was exposed to every outrage and violation. And that the more openly the king made an unreasonable demand, the more obstinately ought it to be refused: since it is evident, that his purpose in making it cannot possibly be justifiable.

On the other hand it was urged, that the rule of watching the very first encroachments of power could only have place, where the opposition to it could be regular, peaceful, and legal. That though the refusal of the king's present demand might seem of this nature, yet in reality it involved consequences, which led much farther than at first sight might be apprehended. That the king in his speech had intimated, that he had resources in his prerogative, which, in case of opposition from parliament he thought himself fully entitled to employ. That if

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the parliament openly discovered an intention of reducing him to dependance, matters must presently be brought to a crisis, at a time the most favourable to his cause, which his most sanguine wishes could ever have promised him. That if we cast our eyes abroad, to the state of affairs on the continent, and to the situation of Scotland and Ireland; or, what is of more importance, if we consider the disposition of men's minds at home, every circumstance would be found adverse to the cause of liberty. That the country party, during the late reign, by their violent, and in many respects unjustifiable measures in parliament, by their desperate attempts out of parliament, had exposed their principles to general hatred, and had excited extreme jealousy in all the royalists and zealous churchmen, who now formed the bulk of the nation. That it would not be acceptable to that party to see this king worse treated than his brother in point of revenue, or any attempts made to keep the crown in dependance. That they thought parliaments as liable to abuse as courts, and desired not to see things in a situation, where the king could not, if he found it requisite, either prorogue or dissolve those assemblies. That if the present parliament, by making great concessions, could gain the king's confidence, and engage him to observe the promises now given them, every thing would by gentle methods succeed to their wishes. That if, on the contrary, after such instances of compliance, he formed any designs on the liberty and religion of the nation, he would, in the eyes of all mankind, render himself altogether inexcusable, and the whole people would join in opposition to him. That resistance could scarcely be attempted twice; and there was therefore the greater necessity for waiting till time and incidents had fully prepared the minds of the nation for it. That the king's prejudices in favour of popery, though in the main

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main pernicious, were yet so far fortunate, that they rendered the connexion inseparable between the national religion and national liberty. And that if any illegal attempts were afterwards made, the church, which was at present the chief security of the crown, would surely catch the alarm, and would soon dispose the people to an effectual resistance.

These last reasons, enforced by the prejudices of party, prevailed in parliament; and the commons, besides thanks for the king's speech, voted unanimously, that they would settle on his present majesty during life all the revenue enjoyed by the late king at the time of his demise. That they might not detract from this generosity by any symptoms of distrust, they also voted unanimously, that the house entirely relied on his majesty's royal word and repeated declarations to support the religion of the church of England; but they added, that that religion was dearer to them than their lives. The speaker, in presenting the revenue-bill, took care to inform the king of their vote with regard to religion; but could not, by so signal a proof of confidence, extort from him one word, in favour of that religion, on which, he told his majesty, they set so high a value. Notwithstanding the grounds of suspicion, which this silence afforded, the house continued in the same liberal disposition. The king having demanded a farther supply for the navy and other purposes, they revived those duties on wines and vinegar, which had once been enjoyed by the late king; and they added some impositions on tobacco and sugar. This grant amounted on the whole to about six hundred thousand pounds a year.

The house of lords were in a humour no less compliant. They even went some lengths towards breaking in pieces all the remains of the popish plot; that once formidable engine of bigotry and faction.

A little

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1685. Oates convicted of perjury.

A LITTLE before the meeting of parliament, Oates had been tried for perjury on two indictments. One for deposing, that he was present at a consult of jesuits in London the twenty-fourth of April, 1679: Another for deposing, that father Ireland was in London between the eighth and twelfth of August, and in the beginning of September in the same year. Never criminal was convicted on fuller and more undoubted evidence. Two and twenty persons, who had been students at St. Omers, most of them men of credit and family, gave evidence, that Oates had entered into that seminary about Christmas in the year 1678, and had never been absent but one night, till the month of July following. Forty-seven witnesses, persons also of untainted character, deposed that father Ireland, on the third of August, 1679, had gone to Staffordshire, where he resided till the middle of September; and, what some years before would have been regarded as a very material circumstance, nine of these witnesses were protestants, of the church of England. Oates's sentence was, to be fined a thousand marks on each indictment, to be whipped on two different days from Aldgate to Newgate, and from Newgate to Tyburn, to be imprisoned during life, and to be pilloried five times every year. The impudence of the man supported itself under the conviction, and his courage under the punishment. He made solemn appeals to Heaven, and protestations of the veracity of his testimony: Though the whipping was so cruel, that it was evidently the intention of the court to put him to death by that punishment, he was enabled, by the care of his friends, to recover: And he lived to king William's reign; when he had a pension of four hundred pounds a year settled on him. A considerable number still adhered to him in his distresses, and regarded him as the martyr of the protestant cause. The populace were affected with the sight

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ſight of a puniſhment, more ſevere than is commonly inflicted in England. And the ſentence of perpetual impriſonment was deemed illegal.

THE conviction of Oates's perjury was taken notice of by the houſe of peers. Beſides freeing the popiſh lords, Powis, Arundel, Bellaſis, and Tyrone, together with Danby, from the former impeachment by the commons, they went ſo far as to vote a reverſal of Stafford's attainder, on account of the falſhood of that evidence, on which he had been condemned. This bill fixed ſo deep a reproach on the former proceedings of the excluſioniſts, that it met with great oppoſition among the lords; and it was at laſt, after one reading, dropped by the commons. Though the reparation of injuſtice be the ſecond honour, which a nation can attain; the preſent emergence ſeemed very improper for granting ſo full a juſtification to the catholics, and throwing ſo foul a ſtain on the proteſtants.

Monmouth's invaſion.

THE courſe of parliamentary proceedings was interrupted by the news of Monmouth's arrival in the weſt with three ſhips from Holland. No ſooner was this intelligence conveyed to the parliament, than they voted, that they would adhere to his majeſty with their lives and fortunes. They paſſed a bill of attainder againſt Monmouth; and they granted a ſupply of four hundred thouſand pounds for ſuppreſſing his rebellion. Having thus ſtrengthened the hands of the king, they adjourned themſelves.

MONMOUTH, when ordered to depart the kingdom, during the late reign, had retired to Holland; and as it was well known, that he ſtill enjoyed the favour of his indulgent father, all marks of honour and diſtinction were beſtowed upon him by the prince of Orange. After the acceſſion of James, the prince thought it neceſſary to diſmiſs Monmouth and all his followers; and that illuſtrious

trious fugitive retired to Bruſſels. Finding himſelf ſtill purſued by the king's ſeverity, he was puſhed, contrary to his judgment as well as inclination, to make a raſh and premature attempt upon England. He ſaw that James had lately mounted the throne, not only without oppoſition, but ſeemingly with the good will and affections of his ſubjects. A parliament was ſitting, which diſcovered the greateſt diſpoſition to comply with the king, and whoſe adherence, he knew, would give a ſanction and authority to all public meaſures. The grievances of this reign were hitherto of ſmall importance; and the people were not as yet in a diſpoſition to remark them with great ſeverity. All theſe conſiderations occurred to Monmouth; but ſuch was the impatience of his followers, and ſuch the precipitate humour of Argyle, who ſet out for Scotland a little before him, that no reaſons could be attended to; and this unhappy man was driven upon his fate. CHAP. LXX. 1685.

THE imprudence, however, of this enterprize did not at firſt appear. Though on his landing at Lime in Dorſetſhire, he had ſcarcely a hundred followers; ſo popular was his name, that in four days he had aſſembled above two thouſand horſe and foot. They were indeed, almoſt all of them, the loweſt of the people; and the declaration, which he publiſhed, was chiefly calculated to ſuit the prejudices of the vulgar, or the moſt bigotted of the whig-party. He called the king, duke of York; and denominated him a traitor, a tyrant, an aſſaſſin, and a popiſh uſurper. He imputed to him the fire of London, the murder of Godfrey and of Eſſex, nay the poiſoning of the late king. And he invited all the people to join in oppoſition to his tyranny. 11th June.

THE duke of Albemarle, ſon to him who had reſtored the royal family, aſſembled the militia of Devonſhire to

CHAP. LXX. 1685. the number of 4000 men, and took poſt at Axminſter, in order to oppoſe the rebels; but obſerving, that his troops bore a great affection to Monmouth, he thought proper to retire. Monmouth, though he had formerly given many ſignal proofs of perſonal courage, had not the vigour of mind requiſite for an undertaking of this nature. From an ill grounded diffidence of his men, he neglected to attack Albemarle; an eaſy enterprize, by which he might both have acquired credit and have ſupplied himſelf with arms. Lord Gray, who commanded his horſe, diſcovered himſelf to be a notorious coward; yet ſuch was the ſoftneſs of Monmouth's nature, that Gray was ſtill continued in his command. Fletcher of Salton, a Scotchman, a man of ſignal probity and fine genius, had been engaged by his republican principles in this enterprize, and commanded the cavalry together with Gray: But being inſulted by one, who had newly joined the army, and whoſe horſe he had in a hurry made uſe of, he was prompted by paſſion, to which he was much ſubject, to diſcharge a piſtol at the man; and he killed him on the ſpot. This incident obliged him immediately to leave the camp; and the loſs of ſo gallant an officer was a great prejudice to Monmouth's enterprize.

THE next ſtation of the rebels was Taunton, a diſaffected town, which gladly and even fondly received them, and re-inforced them with conſiderable numbers. Twenty young maids of ſome rank preſented Monmouth with a pair of colours of their handiwork, together with a copy of the bible. Monmouth was here perſuaded to take upon him the title of king, and aſſert the legitimacy of his birth; a claim, which he advanced in his firſt declaration, but whoſe diſcuſſion he was determined, he then ſaid, during ſome time to poſtpone. His numbers had now increaſed to ſix thouſand; and he was obliged every day, for want of arms, to diſmiſs a great many,

who crowded to his ſtandard. He entered Bridgewater, Wells, Frome; and was proclaimed in all theſe places: But forgetting, that ſuch deſperate enterprizes can only be rendered ſucceſsful by the moſt adventurous courage, he allowed the expectations of the people to languiſh, without attempting any conſiderable undertaking. CHAP. LXX. 1685.

WHILE Monmouth, by his imprudent and miſplaced caution, was thus waſting time in the Weſt, the king employed himſelf in making preparations to oppoſe him. Six regiments of Britiſh troops were called over from Holland: The army was conſiderably augmented: And regular forces, to the number of 3000 men, were diſpatched under the command of Feverſham and Churchill, in order to check the progreſs of the rebels.

MONMOUTH, obſerving that no conſiderable men joined him, finding that an inſurrection, which was projected in the city, had not taken place, and hearing that Argyle, his confederate, was already defeated and taken; ſunk into ſuch deſpondency, that he had once reſolved to withdraw himſelf, and leave his unhappy followers to their fate. His followers expreſſed more courage than their leader, and ſeemed determined to adhere to him in every fortune. The negligent diſpoſition, made by Feverſham, invited Monmouth to attack the king's army at Sedgemoor near Bridgewater; and his men in this action ſhowed what a native courage and a principle of duty, even when unaſſiſted by diſcipline, is able to perform. They threw the veteran forces into diſorder; drove them from their ground; continued the fight till their ammunition failed them; and would at laſt have obtained a victory, had not the miſconduct of Monmouth and the cowardice of Gray prevented it. After a combat of three hours the rebels gave way; and were followed with great ſlaughter. About 1500 fell in the battle and purſuit. 5th July. Monmouth defeated,

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And thus was concluded in a few weeks this enterprize, raſhly undertaken, and feebly conducted.

MONMOUTH fled from the field of battle above twenty miles, till his horſe ſunk under him. He then changed cloaths with a peaſant, in order to conceal himſelf. The peaſant was diſcovered by the purſuers, who now redoubled the diligence of their ſearch. At laſt, the unhappy Monmouth was found, lying in the bottom of a ditch, and covered with fern: His body depreſſed with fatigue and hunger; his mind by the memory of paſt misfortunes, by the proſpect of future diſaſters. Human nature is unequal to ſuch calamitous ſituations; much more, the temper of a man, ſoftened by early proſperity, and accuſtomed to value himſelf ſolely on military bravery. He burſt into tears, when ſeized by his enemies; and he ſeemed ſtill to indulge the fond hope and deſire of life. Though he might have known, from the greatneſs of his own offences, and the ſeverity of James's temper, that no mercy could be expected, he wrote him the moſt ſubmiſſive letters, and conjured him to ſpare the iſſue of a brother, who had ever been ſo ſtrongly attached to his intereſts. James, finding ſuch ſymptoms of depreſſion and deſpondency in the unhappy priſoner, admitted him to his preſence, in hopes of extorting a diſcovery of his accomplices: But Monmouth would not purchaſe life, however loved, at the price of ſo much infamy. Finding all efforts vain, he aſſumed courage from deſpair, and prepared himſelf for death, with a ſpirit, better ſuited to his rank and character. This favourite of the people was attended to the ſcaffold with a plentiful effuſion of tears. He warned the executioner not to fall into the error, which he had committed in beheading Ruſſel, where it had been neceſſary to repeat the blow. This precaution ſerved only to diſmay the executioner. He ſtruck a feeble

and executed. 15th July.

blow

blow on Monmouth, who raiſed his head from the block, and looked him in the face, as if reproaching him for his failure. He gently laid down his head a ſecond time; and the executioner ſtruck him again and again to no purpoſe. He then threw aſide the ax, and cried out that he was incapable of finiſhing the bloody office. The ſheriff obliged him to renew the attempt; and at two blows more the head was ſevered from the body. CHAP. LXX. 1685.

THUS periſhed in the thirty-ſixth year of his age a nobleman, who, in leſs turbulent times, was well qualified to be an ornament of the court, even to be ſerviceable to his country. The favour of his prince, the careſſes of faction, and the allurements of popularity, ſeduced him into enterprizes, which exceeded his capacity. The good-will of the people ſtill followed him in every fortune. Even after his execution, their fond credulity flattered them with hopes of ſeeing him once more at their head. They believed, that the perſon executed was not Monmouth, but one, who, having the fortune to reſemble him nearly, was willing to give this proof of his extreme attachment, and to ſuffer death in his ſtead.

THIS victory, obtained by the king in the commencement of his reign, would naturally, had it been managed with prudence, have tended much to encreaſe his power and authority. But by reaſon of the cruelty, with which it was proſecuted, and of the temerity, with which it afterwards inſpired him, it was a principal cauſe of his ſudden ruin and downfall.

SUCH arbitrary principles had the court inſtilled into all its ſervants, that Feverſham, immediately after the victory, hanged above twenty priſoners; and was proceeding in his executions, when the biſhop of Bath and Wells warned him, that theſe unhappy men were now by law entitled to a trial, and that their execution would be deemed a real murther. This remonſtrance however did not

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1685. Cruelty of colonel Kirke.

not ſtop the ſavage nature of colonel Kirke, a ſoldier of fortune, who had long ſerved at Tangiers, and had contracted, from his intercourſe with the Moors, an inhumanity leſs known in European and in free countries. At his firſt entry into Bridgewater, he hanged nineteen priſoners without the leaſt enquiry into the merits of their cauſe. As if to make ſport with death, he ordered a certain number to be executed, while he and his company ſhould drink the king's health, or the queen's, or that of chief-juſtice Jefferies. Obſerving their feet to quiver in the agonies of death, he cried that he would give them muſic to their dancing; and he immediately commanded the drums to beat and the trumpets to ſound. By way of experiment, he ordered one man to be hung up three times, queſtioning him at each interval, whether he repented of his crime: But the man obſtinately aſſerting, that, notwithſtanding the paſt, he would ſtill willingly engage in the ſame cauſe, Kirke ordered him to be hung in chains. One ſtory, commonly told of him, is memorable for the treachery, as well as barbarity, which attended it. A young maid pleaded for the life of her brother, and flung herſelf at Kirke's feet, armed with all the charms, which beauty and innocence, bathed in tears, could beſtow upon her. The tyrant was enflamed with deſire, not ſoftened into love or clemency. He promiſed to grant her requeſt, provided that ſhe, in her turn, would be equally compliant to him. The maid yielded to the conditions: But after ſhe had paſſed the night with him, the wanton ſavage, next morning, ſhowed her from the window her brother, the darling object for whom ſhe had ſacrificed her virtue, hanging on a gibbet, which he had ſecretly ordered to be there erected for the execution. Rage and deſpair and indignation took poſſeſſion of her mind, and deprived her for ever of her ſenſes. All the inhabitants of that country, innocent as well as guilty,

were

were exposed to the ravages of this barbarian. The soldiery were let loose to live on free quarter; and his own regiment, instructed by his example, and encouraged by his exhortations, distinguished themselves in a particular manner by their outrages. By way of pleasantry he used to call them *his lambs*; an appellation, which was long remembered with horror in the west of England. CHAP. LXX. 1685.

THE violent Jefferies succeeded after some interval; and showed the people, that the rigours of law might equal, if not exceed, the ravages of military tyranny. This man, who wantoned in cruelty, had already given a specimen of his character in many trials, where he presided; and he now set out with a savage joy, as to a full harvest of death and destruction. He began at Dorchester; and thirty rebels being arraigned, he exhorted them, but in vain, to save him, by their free confession, the trouble of trying them: And when twenty-nine were found guilty, he ordered them, as an additional punishment of their disobedience, to be led to immediate execution. Most of the other prisoners, terrified with this example, pleaded guilty; and no less than two hundred and ninety-two received sentence at Dorchester. Of these, eighty were executed. Exeter was the next stage of his cruelty: Two hundred and forty-three were there tried, of whom a great number were condemned and executed. He also opened his commission at Taunton and Wells; and every where carried consternation along with him. The juries were so struck with his menaces, that they gave their verdict with precipitation; and many innocent persons, it is said, were involved with the guilty. And on the whole, besides those who were butchered by the military commanders, two hundred and fifty-one are computed to have fallen by the hand of justice. The whole country was strowed with the heads and limbs of traitors. Every village almost beheld the dead carcass of

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a wretched inhabitant. And all the rigours of juſtice, unabated by any appearance of clemency, were fully diſplayed to the people by the inhuman Jefferies.

Of all the executions, during this diſmal period, the moſt remarkable were thoſe of Mrs. Gaunt and lady Liſle, who had been accuſed of harbouring traitors. Mrs. Gaunt was an anabaptiſt, noted for her beneficence, which ſhe extended to perſons of all profeſſions and perſuaſions. One of the rebels, knowing her humane diſpoſition, had recourſe to her in his diſtreſs, and was concealed by her. Hearing of the proclamation, which offered an indemnity and rewards to ſuch as diſcovered criminals, he betrayed his benefactreſs, and bore evidence againſt her. He received a pardon as a recompence for his treachery; ſhe was burned alive for her charity.

Lady Lisle was widow of one of the regicides, who had enjoyed great favour and authority under Cromwel, and who having fled, after the reſtoration, to Lauzanne in Swiſſerland, was there aſſaſſinated by three Iriſh ruffians, who hoped to make their fortune by this piece of ſervice. His widow was now proſecuted for harbouring two rebels the day after the battle of Sedgemoor; and Jefferies puſhed on the trial with an unrelenting violence. In vain did the aged priſoner plead, that theſe criminals had been put into no proclamation; had been convicted by no verdict; nor could any man be denominated a traitor, till the ſentence of ſome legal court was paſſed upon him: That it appeared not by any proof, that ſhe was ſo much as acquainted with the guilt of the perſons, or had heard of their joining the rebellion of Monmouth: That though ſhe might be obnoxious on account of her family, it was well known, that her heart was ever loyal, and that no perſon in England had ſhed more tears for that tragical event, in which her huſband had unfortunately borne too great a ſhare: And that the ſame principles,

ciples, which she herself had ever embraced, she had carefully instilled into her son, and had, at that very time, sent him to fight against those rebels, whom she was now accused of harbouring. Though these arguments did not move Jefferies, they had influence on the jury. Twice they seemed inclined to bring in a favourable verdict: They were as often sent back with menaces and reproaches; and at last were constrained to give sentence against the prisoner. Notwithstanding all applications for pardon, the cruel sentence was executed. The king said, that he had given Jefferies a promise not to pardon her: An excuse, which could serve only to aggravate the blame against himself. CHAP. LXX. 1685.

It might have been hoped, that, by all these bloody executions, a rebellion, so precipitate, so ill supported, and of such short duration, would have been sufficiently expiated: But nothing could satiate the spirit of rigour, which possessed the administration. Even those multitudes, who received pardon, were obliged to attone for their guilt by fines, which reduced them to beggary; or where their former poverty made them incapable of paying, they were condemned to cruel whippings or severe imprisonments. Nor could the innocent escape the hands, no less rapacious than cruel, of the chief justice. Prideaux, a gentleman of Devonshire, being thrown into prison, and dreading the severe and arbitrary spirit, which at that time met with no controul, was obliged to buy his liberty of Jefferies at the price of fifteen thousand pounds; though he could never so much as learn the crime of which he was accused.

Goodenough, the seditious under-sheriff of London, who had been engaged in the most bloody and desperate part of the Rye-house conspiracy, was taken prisoner after the battle of Sedgemoor, and resolved to save his own life, by an accusation of Cornish, the sheriff, whom he knew

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knew to be extremely obnoxious to the court. Colonel Rumsey joined him in the accusation; and the prosecution was so hastened, that the prisoner was tried, condemned and executed in the space of a week. The perjury of the witnesses appeared immediately after; and the king seemed to regret the execution of Cornish. He granted his estate to his family, and condemned the witnesses to perpetual imprisonment.

THE injustice of this sentence against Cornish, was not wanted to disgust the nation with the court: The continued rigour of the other executions had already impressed an universal hatred against the ministers of justice, attended with a compassion for the unhappy sufferers, who, as they had been seduced into this crime by mistaken principles, bore their punishment with the spirit and zeal of martyrs. The people might have been willing on this occasion to distinguish between the king and his ministers: But care was taken to prove, that the latter had done nothing but what was agreeable to their master. Jefferies, on his return, was immediately, for those eminent services, created a peer; and was soon after vested with the dignity of chancellor. It is pretended, however, with some appearance of authority, that the king was displeased with these cruelties, and put a stop to them by orders, as soon as proper information of them was conveyed to him [a].

State of affairs in Scotland.

WE must now take a view of the state of affairs in Scotland; where the fate of Argyle had been decided before that of Monmouth. Immediately after the king's accession, a parliament had been summoned at Edinburgh; and all affairs were there conducted by the duke of Queensberry the commissioner, and the earl of Perth chancellor. The former had resolved to make an entire surrender of the liberties of his country; but was determined still to

[a] Life of lord keeper North, p. 260.

adhere

adhere to its religion: The latter entertained no ſcruple of paying court even by the ſacrifice of both. But no courtier, even the moſt proſtitute, could go farther than the parliament itſelf, towards a reſignation of their liberties. In a vote, which they called an offer of duty, after adopting the fabulous hiſtory of an hundred and eleven Scottiſh monarchs, they acknowledged, that all theſe princes, by the primary and fundamental law of the ſtate, had been veſted with a *ſolid* and *abſolute* authority. They declared their abhorrence of all principles and poſitions, derogatory to the king's ſacred, ſupreme, ſovereign, abſolute power, of which none, they ſaid, whether ſingle perſons or collective bodies, can participate, but in dependance on him and by commiſſion from him. They promiſed, that the whole nation, between ſixteen and ſixty, ſhall be in readineſs for his majeſty's ſervice, where and as oft as it ſhall be his royal pleaſure to require them. And they annexed the whole exciſe, both of inland and foreign commodities, for ever to the crown. CHAP. LXX. 1685.

ALL the other acts of this aſſembly ſavoured of the ſame ſpirit. They declared it treaſon for any perſon to refuſe the teſt, if tendered by the council. To defend the obligation of the covenant, ſubjected a perſon to the ſame penalty. To be preſent at any conventicle, was made puniſhable with death and confiſcation of moveables. Even ſuch as refuſed to give teſtimony, either in caſes of treaſon or nonconformity, were declared equally puniſhable as if guilty of thoſe very crimes: An excellent prelude to all the rigours of an inquiſition. It muſt be confeſſed, that nothing could equal the abject ſervility of the Scottiſh nation during this period but the arbitrary ſeverity of the adminiſtration.

IT was in vain, that Argyle ſummoned a people, ſo loſt to all ſenſe of liberty, ſo degraded by repeated indignities, to riſe in vindication of their violated laws and privileges. Argyle's invaſion,

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privileges. Even those who declared for him, were, for the greater part, his own vassals; men, who, if possible, were still more sunk in slavery than the rest of the nation. He arrived, after a prosperous voyage, in Argyleshire, attended by some fugitives from Holland; and among the rest, by Sir Patric Hume, a man of mild dispositions, who had been driven to this extremity by a continued train of oppression. The privy council was beforehand apprized of Argyle's intentions. The whole militia of the kingdom, to the number of twenty-two thousand men, were already in arms; and a third part of them, with the regular forces, were on their march to oppose him. All the considerable gentry of his clan were thrown into prison. And two ships of war were on the coast to watch his motions. Under all these discouragements he yet made a shift, partly from terror, partly from affection, to collect and arm a body of about two thousand five hundred men; but soon found himself surrounded on all sides with insuperable difficulties. His arms and ammunition were seized: His provisions cut off: The marquess of Athole pressed him on one side; lord Charles Murray on another; the duke of Gordon hung upon his rear; the earl of Dunbarton met him in front. His followers daily fell off from him; but Argyle, resolute to persevere, broke at last with the shattered remains of his troops into the disaffected part of the Low Countries, which he had endeavoured to allure to him by declarations for the covenant. No person showed either courage or inclination to join him; and his small and still decreasing army, after wandering about for a little time, was at last defeated and dissipated without an enemy. Argyle himself was seized and carried to Edinburgh; where, after enduring many indignities with a gallant spirit, he was publicly executed. He suffered on the former unjust sentence, which had been passed upon him.

defeat,

and execution.

The

The reſt of his followers either eſcaped or were puniſhed by tranſportation: Rumbold and Ayloffe, two Engliſhmen, who had attended Argyle on this expedition, were executed. CHAP. LXX. 1685.

THE king was ſo elated with this continued tide of proſperity, that he began to undervalue even an Engliſh parliament, at all times formidable to his family; and from his ſpeech to that aſſembly, which he had aſſembled early in the winter, he ſeems to have thought himſelf exempted from all rules of prudence or neceſſity of diſſimulation. He plainly told the two houſes, that the militia, which had formerly been ſo much magnified, was now found, by experience in the laſt rebellion, to be altogether uſeleſs; and he required a new ſupply, in order to maintain thoſe additional forces, which he had levied. He alſo took notice, that he had employed a great many catholic officers, and that he had, in their favour, diſpenſed with the law, requiring the teſt to be taken by every one that poſſeſſed any public office. And to cut ſhort all oppoſition, he declared, that, having reaped the benefit of their ſervice during ſuch times of danger, he was determined, neither to expoſe them afterwards to diſgrace, nor himſelf, in caſe of another rebellion, to the want of their aſſiſtance. 9th Nov. A parliament.

SUCH violent averſion did this parliament bear to oppoſition; ſo great dread had been inſtilled of the conſequences attending any breach with the king; that it is probable, had he uſed his diſpenſing power without declaring it, no enquiries would have been made, and time might have reconciled the nation to this dangerous exerciſe of prerogative. But to invade at once their conſtitution, to threaten their religion, to eſtabliſh a ſtanding army, and even to require them, by their concurrence, to contribute towards all theſe meaſures, exceeded the bounds of their patience; and they began, for the firſt

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time, to display some small remains of English spirit and generosity. When the king's speech was taken into consideration by the commons, many severe reflections were thrown out against the present measures; and the house was with seeming difficulty engaged to promise in a general vote, that they would grant some supply. But instead of finishing that business, which could alone render them acceptable to the king, they proceeded to examine the dispensing power; and they voted an address to the king against it. Before this address was presented, they resumed the consideration of the supply; and as one million two hundred thousand pounds were demanded by the court, and two hundred thousand proposed by the country-party, a middle course was chosen, and seven hundred thousand, after some dispute, were at last voted. The address against the dispensing power was expressed in the most respectful and submissive manner; yet was it very ill received by the king, and his answer contained a flat denial, uttered with great warmth and vehemence. The commons were so daunted with this reply, that they kept silence a long time; and when Coke, member for Derby, rose up and said, "I hope we are all English-"men, and not to be frighted with a few hard words;" so little spirit appeared in that assembly, often so refractory and mutinous, that they sent him to the Tower for bluntly expressing a free and generous sentiment. They adjourned, without fixing a day for the consideration of his majesty's answer; and on their next meeting, they submissively proceeded to the consideration of the supply, and even went so far as to establish funds for paying the sum voted, in nine years and a half. The king, therefore, had in effect, almost without contest or violence, obtained a complete victory over the commons; and that assembly, instead of guarding their liberties, now exposed to manifest peril, conferred an additional revenue on the crown;

crown; and by rendering the king in some degree independent, contributed to encrease those dangers, with which they had so much reason to be alarmed. 1685.

The next opposition came from the house of peers, which has not commonly taken the lead on these occasions, and even from the bench of bishops, whence the court usually expects the greatest complaisance and submission. The upper house had been brought, in the first days of the session, to give general thanks for the king's speech; by which compliment they were understood, according to the practice of that time, to have acquiesced in every part of it: Yet notwithstanding that step, Compton, bishop of London, in his own name and that of his brethren, moved that a day should be appointed for taking the speech into consideration: He was seconded by Halifax, Nottingham, and Mordaunt. Jefferies, the chancellor, opposed the motion; and seemed inclined to use in that house the same arrogance, to which on the bench he had so long been accustomed: But he was soon taught to know his place; and he proved, by his behaviour, that insolence, when checked, naturally sinks into meanness and cowardice. The bishop of London's motion prevailed.

The king might reasonably have presumed, that, even if the peers should so far resume courage as to make an application against his dispensing power, the same steddy answer, which he had given to the commons, would make them relapse into the same timidity; and he might by that means have obtained a considerable supply, without making any concessions in return. But so imperious was his temper, so lofty the idea which he had entertained of his own authority, and so violent the schemes suggested by his own bigotry and that of his priests; that, without any delay, without waiting for any farther provocation, he immediately proceeded to a prorogation.

He

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He continued the parliament during a year and a half by four more prorogations; but having in vain tried, by ſeparate applications, to break the obſtinacy of the leading members, he at laſt diſſolved that aſſembly. And as it was plainly impoſſible for him to find among his proteſtant ſubjects a ſet of men more devoted to royal authority, it was univerſally concluded, that he intended thenceforth to govern entirely without parliaments.

NEVER king mounted the throne of England with greater advantages than James; nay, poſſeſſed greater facility, if that were any advantage, of rendering himſelf and his poſterity abſolute: But all theſe fortunate circumſtances tended only, by his own miſconduct, to bring more ſudden ruin upon him. The nation ſeemed diſpoſed of themſelves to reſign their liberties into his hands, had he not, at the ſame time, made an attempt upon their religion: And he might even have ſucceeded in ſurmounting at once their liberties and religion, had he conducted his ſchemes with common prudence and diſcretion. Openly to declare to the parliament, ſo early in his reign, his intention to diſpenſe with the teſts, ſtruck an univerſal alarm through the nation; infuſed terror into the church, which had hitherto been the chief ſupport of monarchy; and even diſguſted the army, by whoſe means alone he could now propoſe to govern. The former horror againſt popery was revived by polemical books and ſermons; and in every diſpute the victory ſeemed to be gained by the proteſtant divines, who were heard with more favourable ears, and who managed the controverſy with more learning and eloquence. But another incident happened at this time, which tended mightily to excite the animoſity of the nation againſt the catholic communion.

LEWIS XIV. having long harraſſed and moleſted the proteſtants, at laſt revoked entirely the edict of Nantz; which

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which had been enacted by Harry IV. for ſecuring them the free exerciſe of their religion; which had been declared irrevocable; and which, during the experience of near a century, had been attended with no ſenſible inconvenience. All the iniquities, inſeparable from perſecution, were exerciſed againſt thoſe unhappy religioniſts; who became obſtinate in proportion to the oppreſſions which they ſuffered, and either covered under a feigned converſion a more violent abhorrence of the catholic communion, or ſought among foreign nations for that liberty, of which they were bereaved in their native country. Above half a million of the moſt uſeful and induſtrious ſubjects deſerted France; and exported, together with immenſe ſums of money, thoſe arts and manufactures, which had chiefly tended to enrich that kingdom. They propagated every where the moſt tragical accounts of the tyranny, exerciſed againſt them, and revived among the proteſtants all that reſentment againſt the bloody and perſecuting ſpirit of popery, to which ſo many incidents in all ages had given too much foundation. Near fifty thouſand refugees paſſed over into England; and all men were diſpoſed, from their repreſentations, to entertain the utmoſt horror againſt the projects, which they apprehended to be formed by the king for the abolition of the proteſtant religion. When a prince of ſo much humanity and of ſuch ſignal prudence as Lewis could be engaged, by the bigotry of his religion alone, without any provocation, to embrace ſuch ſanguinary and impolitic meaſures; what might be dreaded, they aſked, from James, who was ſo much inferior in theſe virtues, and who had already been irritated by ſuch obſtinate and violent oppoſition? In vain did the king affect to throw the higheſt blame on the perſecutions in France: In vain did he afford the moſt real protection and aſſiſtance to the diſtreſſed Hugonots. All theſe ſymptoms of toleration

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were regarded as insidious; opposite to the avowed principles of his sect, and belied by the severe administration, which he himself had exercised against the nonconformists in Scotland.

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THE smallest approach towards the introduction of popery, must, in the present disposition of the people, have afforded reason of jealousy; much more so wide a step as that of dispensing with the tests, the sole security, which the nation, being disappointed of the exclusion-bill, found provided against those dreaded innovations. Yet was the king resolute to persevere in his purpose; and having failed in bringing over the parliament, he made an attempt, with more success, for establishing his dispensing power, by a verdict of the judges. Sir Edward Hales, a new proselyte, had accepted a commission of colonel; and directions were given his coachman to prosecute him for the penalty of five hundred pounds, which the law, establishing the tests, had granted to informers. By this feigned action, the king hoped, both from the authority of the decision, and the reason of the thing, to put an end to all questions with regard to his dispensing power.

Dispensing power.

IT could not be expected, that the lawyers, appointed to plead against Hales, would exert great force on that occasion: But the cause was regarded with such anxiety by the public, that it had been thoroughly canvassed in several elaborate discourses [a]; and could men divest themselves of prejudice, there want not sufficient materials, on which to form a true judgment. The claim and exercise of the dispensing power is allowed to be very ancient in England; and though it seems at first to have

[a] Particularly Sir Edward Herbert's defence in the state trials, and Sir Robert Atkins's enquiry concerning the dispensing power.

been

been copied from papal uſurpations, it may plainly be traced up as high as the reign of Henry III. In the feudal governments, men were more anxious to ſecure their private property than to ſhare in the public adminiſtration; and provided no innovations were attempted on their rights and poſſeſſions, the care of executing the laws, and enſuring general ſafety was without jealouſy entruſted to the ſovereign. Penal ſtatutes were commonly intended to arm the prince with more authority for that purpoſe; and being in the main calculated for promoting his influence and intereſt as firſt magiſtrate, there ſeemed no danger in allowing him to diſpenſe with their execution, in ſuch particular caſes as might require an exception of indulgence. That practice had ſo much prevailed, that the parliament itſelf had more than once acknowledged this prerogative of the crown; particularly during the reign of Henry V. when they enacted the law againſt aliens [b], and alſo when they paſſed the ſtatute of proviſors [c]. But though the general tenor of the penal ſtatutes was ſuch as gave the king a ſuperior intereſt in their execution beyond any of his ſubjects; it could not but ſometimes happen in a mixed government, that the parliament would deſire to enact laws, by which the regal power, in ſome particulars, even where private property was not immediately concerned, might be regulated and reſtrained. In the twenty-third of Henry VI. a law of this kind was enacted, prohibiting any man from ſerving in a county as ſheriff above a year; and a clauſe was inſerted, by which the king was diſabled from granting a diſpenſation. Plain reaſon might have taught, that this law,

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[b] Rot. parl. 1 Hen. V. n. xv. [c] Ibid. 1 Hen. V. n. xxii. It is remarkable, however, that in the reign of Richard the Second, the parliament granted the king only a temporary power of diſpenſing with the ſtatute of proviſors. Rot. parl. 15 Rich. II. n. i. A plain implication that he had not, of himſelf, ſuch a prerogative. So uncertain were many of theſe points at that time.

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at leaſt, ſhould be exempted from the king's prerogative: But as the diſpenſing power ſtill prevailed in other caſes, it was ſoon able, aided by the ſervility of the courts of judicature, even to overpower this ſtatute, which the legiſlature had evidently intended to ſecure againſt violation. In the reign of Henry VII. the caſe was brought to a trial before all the judges in the exchequer-chamber; and it was decreed, that, notwithſtanding the ſtrict clauſe abovementioned, the king might diſpenſe with the ſtatute: He could firſt, it was alledged, diſpenſe with the prohibitory clauſe, and then with the ſtatute itſelf. This opinion of the judges, though ſeemingly abſurd, had ever ſince paſſed for undoubted law: The practice of continuing the ſheriffs had prevailed: And moſt of the property in England had been fixed by deciſions, which juries, returned by ſuch ſheriffs, had given in the courts of judicature. Many other diſpenſations of a like nature may be produced; not only ſuch as took place by intervals, but ſuch as were uniformly continued. Thus the law was diſpenſed with which prohibited any man from going a judge of aſſize into his own county; that which rendered all Welchmen incapable of bearing offices in Wales; and that which required every one, who received a pardon for felony, to find ſureties for his good behaviour. In the ſecond of James I. a new conſultation of all the judges had been held upon a like queſtion: This prerogative of the crown was again unanimouſly affirmed[d]: And it became an eſtabliſhed principle in Engliſh juriſprudence, that, though the king could not allow of what was morally unlawful, he could permit what was only prohibited by poſitive ſtatute. Even the jealous houſe of commons, who extorted the petition of right from Charles I. made no ſcruple, by the mouth of Glanville, their manager, to allow of the diſpenſing power in

[d] Sir Edward Coke's reports, ſeventh report.

its

its full extent [e]; and in the famous trial of ship-money, Holborne, the popular lawyer, had, freely, and in the most explicite terms, made the same concession [f]. Sir Edward Coke, the great oracle of English law, had not only concurred with all other lawyers in favour of this prerogative; but seems even to believe it so inherent in the crown, that an act of parliament itself could not abolish it [g]. And he particularly observes, that no law can impose such a disability of enjoying offices as the king may not dispense with; because the king, from the law of nature, has a right to the service of all his subjects. This particular reason, as well as all the general principles, is applicable to the question of the tests; nor can the dangerous consequence of granting dispensations in that case be ever allowed to be pleaded before a court of judicature. Every prerogative of the crown, it may be said, admits of abuse: Should the king pardon all criminals, law must be totally dissolved: Should he declare and continue perpetual war against all nations, inevitable ruin must ensue: Yet these powers are entrusted to the sovereign; and we must be content, as our ancestors were, to depend upon his prudence and discretion in the exercise of them.

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THOUGH this reasoning seems founded on such principles as are usually admitted by lawyers, the people had entertained such violent prepossessions against the use, which James here made of his prerogative, that he was obliged, before he brought on Hales's cause, to displace four of the judges, Jones, Montague, Charleton and Nevil; and even Sir Edward Herbert, the chief justice, though a man of acknowledged virtue, yet, because he here supported the pretensions of the crown, was exposed

[e] State trials, vol. vii. first edit. p. 205. Parl. hist. vol. viii. p. 132.
[f] State trials, vol. v. first edit. p. 171.
[g] Sir Edward Coke's reports, twelfth report, p. 18.

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to great and general reproach. Men deemed a diſpenſing, to be in effect the ſame with a repealing power; and they could not conceive, that leſs authority was neceſſary to repeal than to enact any ſtatute. If one penal law was diſpenſed with, any other might undergo the ſame fate: And by what principle could even the laws, which define property, be afterwards ſecured from violation? The teſt act had ever been conceived the great barrier of the eſtabliſhed religion under a popiſh ſucceſſor: As ſuch it had been inſiſted on by the parliament; as ſuch granted by the king; as ſuch, during the debates with regard to the excluſion, recommended by the chancellor. By what magic, what chicane of law, is it now annihilated, and rendered of no validity? Theſe queſtions were every where aſked; and men, ſtraitened by precedents and deciſions of great authority, were reduced either to queſtion the antiquity of this prerogative itſelf, or to aſſert, that even the practice of near five centuries could not beſtow on it ſufficient authority [b]. It was not conſidered, that the preſent difficulty or ſeeming abſurdity had proceeded from late innovations introduced into the government. Ever ſince the beginning of this century, the parliament had, with a laudable zeal, been acquiring powers and eſtabliſhing principles, favourable to law and liberty: The authority of the crown had been limited in many important particulars: And penal ſtatutes were often calculated to ſecure the conſtitution againſt the attempts of miniſters, as well as to preſerve general peace and repreſs crimes and immoralities. A prerogative however, derived from very ancient, and almoſt uniform practice, the diſpenſing power, ſtill remained, or was ſuppoſed to remain with the crown; ſufficient in an inſtant to overturn this whole fabric, and to throw down all fences of the conſtitution. If this prerogative

[b] Sir Robert Atkins, p. 21.

which

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which carries on the face of it, such strong symptoms of an absolute authority in the prince, had yet, in ancient times, subsisted with some degree of liberty in the subject; this fact only proves, that scarcely any human government, much less one erected in rude and barbarous times, is entirely consistent and uniform in all its parts. But to expect, that the dispensing power could, in any degree, be rendered compatible with those accurate and regular limitations, which had of late been established, and which the people were determined to maintain, was a vain hope; and though men knew not upon what principles they could deny that prerogative, they saw, that, if they would preserve their laws and constitution, there was an absolute necessity for denying, at least for abolishing it. The revolution alone, which soon succeeded, happily put an end to all these disputes: By means of it a more uniform edifice was at last erected: The monstrous inconsistence, so visible between the ancient Gothic parts of the fabric and the recent plans of liberty, was fully corrected: And to their mutual felicity, king and people were finally taught to know their proper boundaries [i].

i It is remarkable, that the convention, summoned by the prince of Orange, did not, even when they had the making of their own terms in *the declaration of rights*, venture to condemn the dispensing power in general, which had been uniformly exercised by the former kings of England. They only condemned it so far, *as it had been assumed and exercised of late*, without being able to tell wherein the difference lay. But in the *bill of rights*, which passed about a twelvemonth after, the parliament took care to secure themselves more effectually against a branch of prerogative, incompatible with all legal liberty and limitations; and they excluded, in positive terms, all dispensing power in the crown. Yet even then the house of lords rejected that clause of the bill, which condemned the exercise of this power in former kings, and obliged the commons to rest content with abolishing it for the future. There needs no other proof of the irregular nature of the old English government, than the subsistence of such a prerogative, always exercised and never questioned, till the acquisition of real liberty discovered, at last, the danger of it. See the Journals.

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WHATEVER topics lawyers might find to defend James's dispensing power, the nation thought it dangerous, if not fatal, to liberty; and his resolution of exercising it may on that account be esteemed no less alarming, than if the power had been founded on the most recent and most flagrant usurpation. It was not likely, that an authority, which had been assumed, through so many obstacles, would in his hands lie long idle and unemployed. Four catholic lords were brought into the privy council, Powis, Arundel, Bellasis, and Dover. Halifax, finding, that notwithstanding his past merits, he possessed no real credit or authority, became refractory in his opposition; and his office of privy seal was given to Arundel. The king was open, as well as zealous, in the desire of making converts; and men plainly saw, that the only way to acquire his affection and confidence was by a sacrifice of their religion. Sunderland, some time after, scrupled not to gain favour at this price. Rochester, the treasurer, though the king's brother-in-law, yet, because he refused to give this instance of complaisance, was turned out of his office: The treasury was put in commission, and Bellasis was placed at the head of it. All the courtiers were disgusted, even such as had little regard to religion. The dishonour, as well as distrust, attending renegades, made most men resolve, at all hazards, to adhere to their ancient faith.

State of Scotland.

IN Scotland, James's zeal for proselytism was more successful. The earls of Murray, Perth, and Melfort were brought over to the court religion; and the two latter noblemen made use of a very courtly reason for their conversion: They pretended, that the papers, found in the late king's cabinet, had opened their eyes, and had convinced them of the preference due to the catholic religion. Queensberry, who showed not the same complaisance, fell into total disgrace, notwithstanding his former

former ſervices, and the important ſacrifices, which he had made to the meaſures of the court. Theſe merits could not even enſure him of ſafety againſt the vengeance, to which he ſtood expoſed. His rival, Perth, who had been ready to ſink under his ſuperior intereſt, now acquired the aſcendant; and all the complaints, exhibited againſt him, were totally obliterated. His faith, according to a ſaying of Halifax, had made him whole.

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But it was in Ireland chiefly, that the maſk was wholly taken off, and that the king thought himſelf at liberty to proceed, to the full extent of his zeal and his violence. The duke of Ormond was recalled; and though the primate and lord Granard, two proteſtants, ſtill poſſeſſed the authority of juſtices, the whole power was lodged in the hands of Talbot, the general, ſoon after created earl of Tyrconnel; a man, who, from the blindneſs of his prejudices and fury of his temper, was tranſported with the moſt immeaſurable ardour for the catholic cauſe. After the ſuppreſſion of Monmouth's rebellion, orders were given by Tyrconnel to diſarm all the proteſtants, on pretence of ſecuring the public peace, and keeping their arms in a few magazines for the uſe of the militia. Next, the army was new-modelled; and a great number of officers was diſmiſſed, becauſe it was pretended, that they or their fathers had ſerved under Cromwel and the republic. The injuſtice was not confined to them. Near three hundred officers more were afterwards broken, though many of them had purchaſed their commiſſions: About four or five thouſand private ſoldiers, becauſe they were proteſtants, were diſmiſſed; and being ſtripped even of their regimentals, were turned out to ſtarve in the ſtreets. While theſe violences were carrying on, Clarendon, who had been named lord lieutenant, came over; but he ſoon found, that, as he had refuſed to give the king the deſired pledge of fidelity, by

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by changing his religion, he poſſeſſed no credit or authority. He was even a kind of priſoner in the hands of Tyrconnel; and as he gave all oppoſition in his power to the precipitate meaſures of the catholics, he was ſoon after recalled, and Tyrconnel ſubſtituted in his place. The unhappy proteſtants now ſaw all the civil authority, as well as the military force, transferred into the hands of their inveterate enemies; inflamed with hereditary hatred, and ſtimulated by every motive, which the paſſion either for power, property, or religion could inſpire. Even the barbarous banditti were let looſe to prey on them in their preſent defenceleſs condition. A renewal of the ancient maſſacres was apprehended; and great multitudes, ſtruck with the beſt grounded terror, deſerted the kingdom, and infuſed into the Engliſh nation a dread of thoſe violences, to which, after ſome time, they might juſtly, from the prevalence of the catholics, think themſelves expoſed.

All judicious perſons of the catholic communion were diſguſted with theſe violent meaſures, and could eaſily foreſee the conſequences. But James was entirely governed by the raſh counſels of the queen and of his confeſſor, father Peters, a jeſuit, whom he ſoon after created a privy counſellor. He thought too, that, as he was now in the decline of life, it was neceſſary for him, by haſty ſteps, to carry his deſigns into execution; leſt the ſucceſſion of the princeſs of Orange ſhould overturn all his projects. In vain did Arundel, Powis, and Bellaſis remonſtrate, and ſuggeſt more moderate and cautious meaſures. Theſe men had ſeen and felt, during the proſecution of the popiſh plot, the extreme antipathy, which the nation bore to their religion; and though ſome ſubſequent incidents had ſeemingly allayed that ſpirit, they knew, that the ſettled habits of the people were ſtill the ſame, and that the ſmalleſt incident was ſufficient to

renew

renew the former animosity. A very moderate indulgence, therefore, to the catholic religion would have satisfied them; and all attempts to acquire power, much more to produce a change of the national faith, they deemed dangerous and destructive.

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Breach betwixt the king and the church.

On the first broaching of the popish plot, the church of England had concurred in the prosecution of it, with the same violence and credulity as the rest of the nation: But dreading afterwards the prevalence of republican and presbyterian principles, they had been engaged to support the measures of the court; and to their assistance chiefly, James had owed his succession to the crown. Finding that all these services were forgot, and that the catholic religion was the king's sole favourite, the church had commenced an opposition to court measures; and popery was now acknowledged the more immediate danger. In order to prevent inflammatory sermons on this popular subject, James revived some directions to preachers, which had been promulgated by the late king, in the beginning of his reign, when no design against the national religion was yet formed, or at least apprehended. But in the present delicate and interesting situation of the church, there was little reason to expect that orders, founded on no legal authority, would be rigidly obeyed by preachers, who saw no security to themselves but in preserving the confidence and regard of the people. Instead of avoiding controversy, according to the king's injunctions, the preachers every where declaimed against popery; and among the rest, Dr. Sharpe, a clergyman of London, particularly distinguished himself, and affected to throw great contempt on those who had been induced to change their religion by such pitiful arguments as the Romish missionaries could suggest. This topic, being supposed to reflect on the king, gave great offence at court; and positive orders were issued to the bishop

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biſhop of London, his dioceſan, immediately to ſuſpend Sharpe, till his majeſty's pleaſure ſhould be farther known. The prelate replied, that he could not poſſibly obey theſe commands, and that he was not empowered, in ſuch a ſummary manner, to inflict any puniſhment even upon the greateſt delinquent. But neither this obvious reaſon, nor the moſt dutiful ſubmiſſions, both of the prelate and of Sharpe himſelf, could appeaſe the court. The king was determined to proceed with violence in the proſecution of that affair. The biſhop himſelf he reſolved to puniſh for diſobedience to his commands; and the expedient, which he employed for that purpoſe, was of a nature at once the moſt illegal and moſt alarming.

Court of eccleſiaſtical commiſſion.

AMONG all the engines of authority formerly employed by the crown, none had been more dangerous or even deſtructive to liberty, than the court of high commiſſion, which, together with the ſtar-chamber, had been aboliſhed in the reign of Charles I. by act of parliament; in which a clauſe was alſo inſerted, prohibiting the erection, in all future times, of that court or any of a like nature. But this law was deemed by James no obſtacle; and an eccleſiaſtical commiſſion was anew iſſued, by which ſeven [k] commiſſioners were veſted with full and unlimited authority over the church of England. On them were beſtowed the ſame inquiſitorial powers, poſſeſſed by the former court of high commiſſion: They might proceed upon bare ſuſpicion; and the better to ſet the law at defiance, it was expreſsly inſerted in their patent itſelf, that they were to exerciſe their juriſdiction, notwithſtanding any law or ſtatute to the contrary.

[k] The perſons named were the archbiſhop of Canterbury, Sancroft; the biſhop of Durham, Crew; of Rocheſter, Sprat; the earl of Rocheſter, Sunderland, chancellor Jefferies, and lord chief juſtice Herbert. The archbiſhop refuſed to act, and the biſhop of Cheſter was ſubſtituted in his place.

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The king's design to subdue the church was now sufficiently known; and had he been able to establish the authority of this new-erected court, his success was infallible. A more sensible blow could not be given both to national liberty and religion; and happily the contest could not be tried in a cause more iniquitous and unpopular than that against Sharpe and the bishop of London.

THE prelate was cited before the commissioners. After denying the legality of the court, and claiming the privilege of all Christian bishops to be tried by the metropolitan and his suffragans; he pleaded in his own defence, that, as he was obliged, if he had suspended Sharpe, to act in the capacity of a judge, he could not, consistent either with law or equity, pronounce sentence without a previous citation and trial: That he had by petition represented this difficulty to his majesty; and not receiving any answer, he had reason to think, that his petition had given entire satisfaction: That in order to shew farther his deference, he had advised Sharpe to preach no more, till he had justified his conduct to the king; an advice, which, coming from a superior, was equivalent to a command, and had accordingly met with the proper obedience: That he had thus in his apprehension conformed himself to his majesty's pleasure; but if he should still be found wanting to his duty in any particular, he was now willing to crave pardon, and to make reparation. All this submission, both in Sharpe and the prelate, had no effect: It was determined to have an example: Orders were accordingly sent to the commissioners to proceed: And by a majority of votes the bishop, as well as the doctor, was suspended.

Sentence against the bishop of London.

ALMOST the whole of this short reign consists of attempts always imprudent, often illegal, and sometimes both, against whatever was most loved and revered by the nation:

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nation: Even ſuch ſchemes of the king's as might be laudable in themſelves, were ſo diſgraced by his intentions, that they ſerve only to aggravate the charge againſt him. James was become a great patron of toleration, and an enemy to all thoſe perſecuting laws, which, from the influence of the church, had been enacted both againſt the diſſenters and catholics. Not content with granting diſpenſations to particular perſons, he aſſumed a power of iſſuing a declaration of general indulgence, and of ſuſpending at once all the penal ſtatutes, by which a conformity was required to the eſtabliſhed religion. This was a ſtrain of authority, it muſt be confeſſed, quite inconſiſtent with law and a limited conſtitution; yet was it ſupported by many ſtrong precedents in the hiſtory of England. Even after the principles of liberty were become more prevalent, and began to be well underſtood, the late king had, oftener than once, and without giving much umbrage, exerted this dangerous power: He had in 1662 ſuſpended the execution of a law, which regulated carriages: During the two Dutch wars, he had twice ſuſpended the act of navigation: And the commons in 1666, being reſolved, contrary to the king's judgment, to enact that iniquitous law againſt the importation of Iriſh cattle, found it neceſſary, in order to obviate the exerciſe of this prerogative, which they deſired not at that time entirely to deny or abrogate, to call that importation a nuiſance.

Penal laws ſuſpended.

THOUGH the former authority of the king was great in civil affairs, it was ſtill greater in eccleſiaſtical; and the whole deſpotic power of the popes was often believed, in virtue of the ſupremacy, to have devolved to the crown. The laſt parliament of Charles I. by aboliſhing the power of the king and convocation to frame canons without conſent of parliament, had ſomewhat diminiſhed the ſuppoſed extent of the ſupremacy; but ſtill very con-

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conſiderable remains of it, at leaſt very important claims, were preſerved, and were occaſionally made uſe of by the ſovereign. In 1662, Charles, pleading both the rights of his ſupremacy and his ſuſpending power, had granted a general indulgence or toleration; and in 1672 he renewed the ſame edict: Though the remonſtrances of his parliament obliged him, on both occaſions, to retract; and in the laſt inſtance, the triumph of law over prerogative was deemed very great and memorable. In general, we may remark, that, where the exerciſe of the ſuſpending power was agreeable and uſeful, the power itſelf was little queſtioned: Where the exerciſe was thought liable to exceptions, men not only oppoſed it, but proceeded to deny altogether the legality of the prerogative, on which it was founded.

JAMES, more imprudent and arbitrary than his predeceſſor, iſſued anew a proclamation, ſuſpending all the penal laws in eccleſiaſtical affairs, and granting a general liberty of conſcience to all his ſubjects. He was not deterred by the reflection, both that this ſcheme of indulgence was already blaſted by two fruitleſs attempts; and that in ſuch a government as that of England, it was not ſufficient that a prerogative be approved of by ſome lawyers and antiquaries: If it was condemned by the general voice of the nation, and yet was ſtill exerted, the victory over national liberty was no leſs ſignal than if obtained by the moſt flagrant injuſtice and uſurpation. Theſe two conſiderations indeed would rather ſerve to recommend this project to James; who deemed himſelf ſuperior in vigour and activity to his brother, and who probably thought, that his people enjoyed no liberties, but by his royal conceſſion and indulgence.

IN order to procure a better reception for his edict of toleration, the king, finding himſelf oppoſed by the church, began to pay court to the diſſenters; and he imagined,

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imagined, that, by playing one party againſt another, he ſhould eaſily obtain the victory over both; a refined policy which it much exceeded his capacity to conduct. His intention was ſo obvious, that it was impoſſible for him ever to gain the ſincere confidence and regard of the nonconformiſts. They knew, that the genius of their religion was diametrically oppoſite to that of the catholics, the ſole object of the king's affection. They were ſenſible, that both the violence of his temper, and the maxims of his religion, were repugnant to the principles of toleration. They had ſeen, that, on his acceſſion, as well as during his brother's reign, he had courted the church at their expence; and it was not till his dangerous ſchemes were rejected by the prelates, that he had recourſe to the nonconformiſts. All his favours, therefore, muſt, to every man of judgment among the ſectaries, have appeared inſidious: Yet ſuch was the pleaſure reaped from preſent eaſe, ſuch the animoſity of the diſſenters againſt the church, who had ſo long ſubjected them to the rigours of perſecution, that they every where expreſſed the moſt entire duty to the king and compliance with his meaſures; and could not forbear rejoicing extremely in the preſent depreſſion of their adverſaries.

But had the diſſenters been ever ſo much inclined to ſhut their eyes with regard to the king's intentions, the manner of conducting his ſcheme in Scotland was ſufficient to diſcover the ſecret. The king firſt applied to the Scottiſh parliament, and deſired an indulgence for the catholics alone, without comprehending the preſbyterians: But that aſſembly, though more diſpoſed than even the parliament of England, to ſacrifice their civil liberties, reſolved likewiſe to adhere pertinaciouſly to their religion; and they rejected for the firſt time the king's application. James therefore found himſelf obliged to exert his prerogative; and he now thought it prudent to intereſt a

party among his subjects, besides the catholics, in supporting this act of authority. To the surprize of the harrassed and persecuted presbyterians, they heard the principles of toleration every where extolled, and found that full permission was granted to attend conventicles; an offence, which, even during this reign, had been declared no less than a capital enormity. The king's declaration, however, of indulgence contained articles, sufficient to depress their joy. As if popery were already predominant, he declared, "that he never would use "force or *invincible necessity* against any man on account "of his persuasion or the protestant religion:" A promise surely of toleration given to the protestants with great precaution, and admitting a considerable latitude for persecution and violence. It is likewise remarkable, that the king declared in express terms, "that he had "thought fit, by his sovereign authority, prerogative "royal, and *absolute* power, which all his subjects were "to obey *without reserve*, to grant this royal toleration." The dangerous designs of other princes are to be collected by a comparison of their several actions, or by a discovery of their more secret counsels: But so blinded was James with zeal, so transported with his imperious temper, that even his proclamations and public edicts contain expressions, which, without farther enquiry, may suffice to his condemnation. CHAP. LXX. 1687.

THE English well knew, that the king, by the constitution of their government, thought himself intitled, as indeed he was, to as ample authority in his southern, as in his northern kingdom; and therefore, though the declaration of indulgence published for England was more cautiously expressed, they could not but be alarmed by the arbitrary treatment, to which their neighbours were exposed. It is even remarkable, that the English declaration contained clauses of a strange import. The king

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there promiſed, that he would maintain his loving ſubjects in all their properties and poſſeſſions, as well of church and abbey lands as of any other. Men thought, that, if the full eſtabliſhment of popery were not at hand, this promiſe was quite ſuperfluous; and they concluded, that the king was ſo replete with joy on the proſpect of that glorious event, that he could not, even for a moment, refrain from expreſſing it.

State of Ireland.

But what afforded the moſt alarming proſpect, was the violent, and precipitate conduct of affairs in Ireland. Tyrconnel was now veſted with full authority; and carried over with him as chancellor one Fitton, a man who was taken from a jail, and who had been convicted of forgery and other crimes, but who compenſated for all his enormities by a headlong zeal for the catholic religion. He was even heard to ſay from the bench, that the proteſtants were all rogues, and that there was not one among forty thouſand that was not a traitor, a rebel, and a villain. The whole ſtrain of the adminiſtration was ſuitable to ſuch ſentiments. The catholics were put in poſſeſſion of the council table, of the courts of judicature, and of the bench of juſtices. In order to make them maſters of the parliament, the ſame violence was exerciſed that had been practiſed in England. The charters of Dublin and of all the corporations were annulled; and new charters were granted, ſubjecting the corporations to the will of the ſovereign. The proteſtant freemen were expelled, catholics introduced, and the latter ſect, as they always were the majority in number, were now inveſted with the whole power of the kingdom. The act of ſettlement was the only obſtacle to their enjoying the whole property; and Tyrconnel had formed a ſcheme for calling a parliament, in order to reverſe that act, and empower the king to beſtow all the lands of Ireland on his catholic ſubjects. But in this ſcheme he met

met with opposition from the moderate catholics in the king's council. Lord Bellasis went even so far as to affirm with an oath, "that that fellow in Ireland was "fool and madman enough to ruin ten kingdoms." The decay of trade, from the desertion of the protestants, was represented; the sinking of the revenue; the alarm communicated to England: And by these considerations the king's resolutions were for some time suspended; though it was easy to foresee, from the usual tenor of his conduct, which side would at last preponderate. CHAP. LXX. 1687.

But the king was not content with discovering in his own kingdoms the imprudence of his conduct: He was resolved, that all Europe should be witness of it. He publickly sent the earl of Castelmaine ambassador extraordinary to Rome, in order to express his obeisance to the Pope, and to reconcile his kingdoms, in form, to the catholic communion. Never man, who came on so important an errand, met with so many neglects and even affronts, as Castelmaine. The pontiff, instead of being pleased with this forward step, concluded, that a scheme, conducted with so much indiscretion, could never possibly be successful. And as he was engaged in a violent quarrel with the French monarch, a quarrel which interested him more nearly than the conversion of England, he bore little regard to James, whom he believed too closely connected with his capital enemy. Embassy to Rome.

The only proof of complaisance, which the king received from his holiness, was his sending a nuncio to England, in return for the embassy. By act of parliament any communication with the Pope was made treason: Yet so little regard did the king pay to the laws, that he gave the nuncio a public and solemn reception at Windsor. The duke of Somerset, one of the bed-chamber, because he refused to assist at this ceremony, was dismissed from his employment. The nuncio resided

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openly in London during the reſt of this reign. Four catholic biſhops were publicly conſecrated in the king's chapel, and ſent out, under the title of vicars apoſtolical, to exerciſe the epiſcopal function in their reſpective dioceſes. Their paſtoral letters, directed to the lay catholics of England, were printed and diſperſed by the expreſs allowance and permiſſion of the king. The regular clergy of that communion appeared at court in the habits of their order; and ſome of them were ſo indiſcreet as to boaſt, that, in a little time, they hoped to walk in proceſſion through the capital.

WHILE the king ſhocked in the moſt open manner all the principles and prejudices of his proteſtant ſubjects, he could not ſometimes but be ſenſible, that he ſtood in need of their aſſiſtance for the execution of his deſigns. He had himſelf, by virtue of his prerogative, ſuſpended the penal laws, and diſpenſed with the teſt; but he would gladly have obtained the ſanction of parliament to theſe acts of power; and he knew, that, without this authority, his edicts alone would never afford ſufficient ſecurity to the catholics. He had employed, therefore, with the members of parliament many private conferences, which were then called *cloſetings*; and he uſed every expedient of reaſons, menaces, and promiſes to break their obſtinacy in this particular. Finding all his efforts fruitleſs, he had diſſolved the parliament, and was determined to call a new one, from which he expected more complaiſance and ſubmiſſion. By the practice of annulling the charters, the king was become maſter of all the corporations, and could at pleaſure change every where the whole magiſtracy. The church party, therefore, by whom the crown had been hitherto ſo remarkably ſupported, and to whom the king viſibly owed his ſafety from all the efforts of his enemies, was deprived of authority; and the diſſenters, thoſe very enemies, were, firſt

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in London, and afterwards in every other corporation, ſubſtituted in their place. Not content with this violent and dangerous innovation, the king appointed certain regulators to examine the qualifications of electors; and directions were given them to exclude all ſuch as adhered to the teſt and penal ſtatutes[1]. Queries to this purpoſe were openly propoſed in all places, in order to try the ſentiments of men, and enable the king to judge of the proceedings of the future parliament. The power of the crown was at this time ſo great; and the revenue, managed by James's frugality, ſo conſiderable and independant; that if he had embraced any national party, he had been enſured of ſucceſs, and might have carried his authority to what extent he pleaſed. But the catholics, to whom he had entirely devoted himſelf, were ſcarcely the hundredth part of the people. Even the proteſtant nonconformiſts, whom he ſo much courted, were little more than the twentieth; and what was worſe, repoſed little confidence in the unnatural alliance contracted with the catholics, and in the principles of toleration, which, contrary to their uſual practice in all ages, ſeemed at preſent to be adopted by that ſect. The king therefore, finding little hopes of ſucceſs, protracted the ſummoning of a parliament, and proceeded ſtill in the exerciſe of his illegal and arbitrary authority.

THE whole power in Ireland had been committed to catholics. In Scotland, all the miniſters, whom the king chiefly truſted, were converts to that religion. Every great office in England, civil and military, was gradually transferred from the proteſtants. Rocheſter and

[1] The elections in ſome places, particularly in York, were transferred from the people to the magiſtrates, who, by the new charter, were all named by the crown. Sir John Reresby's memoirs, p. 272. This was in reality nothing different from the king's naming the members. The ſame act of authority had been employed in all the burroughs of Scotland.

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Clarendon, the king's brothers-in-law, though they had ever been faithful to his intereſts, could not, by all their ſervices, attone for their adherence to the national religion; and had been diſmiſſed from their employments. The violent Jefferies himſelf, though he had ſacrificed juſtice and humanity to the court; yet, becauſe he refuſed alſo to give up his religion, was declining in favour and intereſt. Nothing now remained but to open the door in the church and univerſities to the intruſion of the catholics. It was not long before the king made this raſh effort; and by conſtraining the prelacy and eſtabliſhed church to ſeek protection in the principles of liberty, he at laſt left himſelf entirely without friends and adherents.

FATHER FRANCIS, a Benedictine, was recommended by the king's mandate to the univerſity of Cambridge for the degree of maſter of arts; and as it was uſual for the univerſity to confer that degree on perſons eminent for learning, without regard to their religion; and as they had even admitted lately the ſecretary to the ambaſſador of Morocco; the king on that account thought himſelf the better intitled to compliance. But the univerſity conſidered, that there was a great difference between a compliment beſtowed on foreigners, and degrees which gave a title to vote in all the elections and ſtatutes of the univerſity, and which, if conferred on the catholics, would infallibly in time render that ſect entirely ſuperior. They therefore refuſed to obey the king's mandate, and were cited to appear before the court of eccleſiaſtical commiſſion. The vice chancellor was ſuſpended by that court; but as the univerſity choſe a man of ſpirit to ſucceed him, the king thought proper for the preſent to drop his pretenſions.

Attempt upon Magdalen college.

THE attempt upon the univerſity of Oxford was proſecuted with more inflexible obſtinacy, and was attended with

with more important conſequences. This univerſity had lately, in their famous decree, made a ſolemn profeſſion of paſſive obedience; and the court probably expected, that they would ſhow their ſincerity, when their turn came to practiſe that doctrine; which, though, if carried to the utmoſt extent, it be contrary both to reaſon and to nature, is apt to meet with the moſt effectual oppoſition from the latter principle. The preſident of Magdalen college, one of the richeſt foundations in Europe, dying about this time, a mandate was ſent in favour of Farmer, a new convert, but one, who, beſides his being a catholic, had not in other reſpects the qualifications required by the ſtatutes for enjoying that office. The fellows of the college made ſubmiſſive applications to the king for recalling his mandate; but before they received an anſwer, the day came, on which, by their ſtatutes, they were required to proceed to an election. They therefore choſe Dr. Hough, a man of virtue, as well as of the firmneſs and vigour requiſite for maintaining his own rights and thoſe of the univerſity. In order to puniſh the college for this contumacy, as it was called, an inferior eccleſiaſtical commiſſion was ſent down, and the new preſident and the fellows were cited before it. So little regard had been paid to any conſideration beſides religion, that Farmer, on enquiry, was found guilty of the loweſt and moſt ſcandalous vices; inſomuch that even the eccleſiaſtical commiſſioners were aſhamed to inſiſt on his election. A new mandate, therefore, was iſſued in favour of Parker, lately created biſhop of Oxford, a man of a proſtitute character, but who, like Farmer, attoned for all his vices by his avowed willingneſs to embrace the catholic religion. The college repreſented, that all preſidents had ever been appointed by election, and there were few inſtances of the king's interpoſing by his recommendation in favour of any candidate; that having

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already made a regular election of a president, they could not deprive him of his office, and, during his life-time, substitute any other in his place; that, even if there were a vacancy, Parker, by the statutes of their founder, could not be chosen; that they had all of them bound themselves by oath to observe these statutes, and never on any account to accept of a dispensation; and that the college had at all times so much distinguished itself by its loyalty, that nothing but the most invincible necessity could now oblige them to oppose his majesty's inclinations. All these reasons availed them nothing. The president and all the fellows, except two who complied, were expelled the college; and Parker was put in possession of the office. This act of violence, of all those which were committed during the reign of James, is perhaps the most illegal and arbitrary. When the dispensing power was the most strenuously insisted on by court lawyers, it had still been allowed, that the statutes, which regard private property, could not legally be infringed by that prerogative: Yet in this instance it appeared, that even these were not now secure from invasion. The privileges of a college are attacked: Men are illegally dispossessed of their property, for adhering to their duty, to their oaths, and to their religion: The fountains of the church are attempted to be poisoned; nor would it be long, it was concluded, ere all ecclesiastical, as well as civil preferments, would be bestowed on such as, negligent of honour, virtue, and sincerity, basely sacrificed their faith to the reigning superstition. Such were the general sentiments; and as the universities have an intimate connexion with the ecclesiastical establishments, and mightily interest all those who have there received their education, this arbitrary proceeding begat an universal discontent against the king's administration.

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THE next measure of the court was an insult still more open on the ecclesiastics, and rendered the breach between the king and that powerful body fatal, as well as incurable. It is strange that James, when he felt, from the sentiments of his own heart, what a mighty influence religious zeal had over him, should yet be so infatuated as never once to suspect, that it might possibly have a proportional authority over his subjects. Could he have profited by repeated experience, he had seen instances enow of their strong aversion to that communion, which, from a violent, imperious temper, he was determined, by every possible expedient, to introduce into his kingdoms. 1687.

THE king published a second declaration of indulgence, almost in the same terms with the former; and he subjoined an order, that, immediately after divine service, it should be read by the clergy in all the churches. As they were known universally to disapprove of the use made of the suspending power, this clause, they thought, could be meant only as an insult upon them; and they were sensible, that, by their compliance, they should expose themselves, both to public contempt, on account of their tame behaviour, and to public hatred, by their indirectly patronizing so obnoxious a prerogative [m]. They were determined, therefore, almost universally to preserve the regard of the people; their only protection, while the laws were become of so little validity, and while the court was so deeply engaged in opposite interests. In order to encourage them in this resolution, six prelates, 1688.

m When Charles dissolved his last parliament, he set forth a declaration giving his reasons for that measure, and this declaration the clergy had been ordered to read to the people after divine service. These orders were agreeable to their party prejudices, and they willingly submitted to them. The contrary was now the case.

namely,

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namely, Lloyde biſhop of St. Aſaph, Ken of Bath and Wells, Turner of Ely, Lake of Chicheſter, White of Peterborow, and Trelawney of Briſtol, met privately with the primate, and concerted the form of a petition to the king. They there repreſent in few words, that though poſſeſſed of the higheſt ſenſe of loyalty, a virtue of which the church of England had given ſuch eminent teſtimonies; and though deſirous of affording eaſe in a legal way to all proteſtant diſſenters; yet, becauſe the declaration of indulgence was founded on a prerogative, formerly declared illegal by parliament, they could not, in prudence, honour, or conſcience, ſo far make themſelves parties as the diſtribution of it all over the kingdom would be interpreted to amount to. They therefore beſought the king, that he would not inſiſt upon their reading that declaration[n].

THE king was incapable, not only of yielding to the greateſt oppoſition, but of allowing the ſlighteſt and moſt reſpectful contradiction to paſs uncenſured. He immedi-

[n] The words of the petition were. That the great averſeneſs found in themſelves to their diſtributing and publiſhing in all their churches your majeſty's late declaration for liberty of conſcience, proceeds neither from any want of duty and obedience to your majeſty (our holy mother, the church of England, being both in her principles and her conſtant practice unqueſtionably loyal, and having to her great honour been more than once publicly acknowledged to be ſo by your gracious majeſty) nor yet from any want of tenderneſs to diſſenters, in relation to whom we are willing to come to ſuch a temper as ſhall be thought fit, when the matter ſhall be conſidered and ſettled in parliament and convocation. But among many other conſiderations, from this eſpecially, becauſe that declaration is founded upon ſuch a diſpenſing power as hath been often declared illegal in parliament, and particularly in the year 1662 and 1672, and in the beginning of your majeſty's reign, and is a matter of ſo great moment and conſequence to the whole nation both in church and ſtate, that your petitioners cannot in prudence, honour, or conſcience ſo far make themſelves parties to it as a diſtribution of it all over the nation and the ſolemn publication of it once and again, even in God's houſe, and in the time of divine ſervice, muſt amount to in common and reaſonable conſtruction.

ately

ately embraced a resolution (and his resolutions, when once embraced, were inflexible) of punishing the bishops, for a petition so popular in its matter, and so prudent and cautious in the expression. As the petition was delivered him in private, he summoned them before the council; and questioned them whether they would acknowledge it. The bishops saw his intention, and seemed long desirous to decline answering: But being pushed by the chancellor, they at last avowed the petition. On their refusal to give bail, an order was immediately drawn for their commitment to the Tower; and the crown lawyers received directions to prosecute them for the seditious libel, which, it was pretended, they had composed and uttered. CHAP. LXX. 1688.

Imprisonment.

THE people were already aware of the danger, to which the prelates were exposed; and were raised to the highest pitch of anxiety and attention with regard to the issue of this extraordinary affair. But when they beheld these fathers of the church brought from court under the custody of a guard, when they saw them embarked in vessels on the river, and conveyed towards the Tower, all their affection for liberty, all their zeal for religion, blazed up at once; and they flew to behold this affecting spectacle. The whole shore was covered with crowds of prostrate spectators, who at once implored the blessing of those holy pastors, and addressed their petitions towards Heaven for protection during this extreme danger, to which their country and their religion stood exposed. Even the soldiers, seized with the contagion of the same spirit, flung themselves on their knees before the distressed prelates, and craved the benediction of those criminals, whom they were appointed to guard. Some persons ran into the water, that they might participate more nearly in those blessings, which the prelates were distributing on all around them.

CHAP. LXX. 1688.

them. The bishops themselves, during this triumphant suffering, augmented the general favour, by the most lowly submissive deportment; and they still exhorted the people to fear God, honour the king, and maintain their loyalty; expressions more animating than the most inflammatory speeches. And no sooner had they entered the precincts of the Tower than they hurried to chapel, in order to return thanks for those afflictions, which Heaven, in defence of its holy cause, had thought them worthy to endure.

trial.

THEIR passage, when conducted to their trial, was, if possible, attended with greater crowds of anxious spectators. All men saw the dangerous crisis, to which affairs were reduced, and were sensible, that the king could not have put the issue on a cause more unfavourable for himself than that in which he had so imprudently engaged. Twenty-nine temporal peers (for the other prelates kept aloof) attended the prisoners to Westminster-hall; and such crowds of gentry followed the procession, that scarcely was any room left for the populace to enter. The lawyers for the bishops were Sir Robert Sawyer, Sir Francis Pemberton, Pollexfen, Treby, and Sommers. No cause, even during the prosecution of the popish plot, was ever heard with so much zeal and attention. The popular torrent, which, of itself, ran fierce and strong, was now farther irritated by the opposition of government.

THE council for the bishops pleaded, that the law allowed subjects, if they thought themselves aggrieved in any particular, to address themselves by petition to the king, provided they kept within certain bounds, which the same law prescribed to them, and which in the present petition the prelates had strictly observed: That an active obedience in cases, which were contrary to conscience, was never pretended to be due to government; and law

was

was allowed to be the great measure of the compliance and submission of subjects: That when any person found commands to be imposed upon him, which he could not obey, it was more respectful in him to offer his reasons for refusal, than to remain in an obstinate and refractory silence: That it was no breach of duty in subjects, even though not called upon, to discover their sense of public measures, in which every one had so intimate a concern: That the bishops in the present case were called upon, and must either express their approbation by compliance, or their disapprobation by petition: That it could be no sedition to deny the prerogative of suspending the laws; because there really was no such prerogative, nor ever could be, in a legal and limited government: That even if this prerogative were real, it had yet been frequently controverted before the whole nation, both in Westminster-hall, and in both houses of parliament; and no one had ever dreamed of punishing the denial of it as criminal: That the prelates, instead of making an appeal to the people, had applied in private to his majesty, and had even delivered their petition so secretly, that, except by the confession, extorted from them before the council, it was found impossible to prove them the authors: And that though the petition was afterwards printed and dispersed, it was not so much as attempted to be proved, that they had the least knowledge of that publication. CHAP. LXX. 1688.

THESE arguments were convincing in themselves, and were heard with a favourable disposition by the audience. Even some of the judges, though their seats were held during pleasure, declared themselves in favour of the prisoners. The jury however, from what cause is unknown, took several hours to deliberate, and kept, during so long a time, the people in the most anxious expectation. But when the wished for verdict, *not guilty*, was at last pronounced, the intelligence was echoed through the hall, 17th June, and acquittal of the bishops.

CHAP. LXX. 1688.

hall, was conveyed to the crowds without, was carried into the city, and was propagated with infinite joy throughout the kingdom.

EVER ſince Monmouth's rebellion, the king had, every ſummer, encamped his army on Hounſlow heath, that he might both improve their diſcipline, and by ſo unuſual a ſpectacle over-awe the mutinous people. A popiſh chapel was openly erected in the midſt of the camp, and great pains were taken, though in vain, to bring over the ſoldiers to that communion. The few converts, whom the prieſts had made, were treated with ſuch contempt and ignominy, as deterred every one from following the example. Even the Iriſh officers, whom the king introduced into the army, ſerved rather, from the averſion borne them, to weaken his intereſt among them. It happened, that the very day, on which the trial of the biſhops was finiſhed, the king had reviewed the troops, and had retired into the tent of lord Feverſham, the general; when he was ſurprized to hear a great uproar in the camp, attended with the moſt extravagant ſymptoms of tumultuary joy. He ſuddenly enquired the cauſe, and was told by Feverſham, "It was "nothing but the rejoicing of the ſoldiers for the acquit-"tal of the biſhops." "Do you call that nothing?" replied he, "but ſo much the worſe for them."

THE king was ſtill determined to ruſh forward in the ſame courſe, in which he was already, by his precipitate career, ſo fatally advanced. Though he knew, that every order of men, except a handful of catholics, were enraged at his paſt meaſures, and ſtill more terrified with the future proſpect; though he ſaw that the ſame diſcontents had reached the army, his ſole reſource during the general diſaffection: Yet was he incapable of changing his meaſures, or even of remitting his violence in the proſecution of them. He ſtruck out two of the judges, Powel,

CHAP. LXX. 1688.

Powel and Holloway, who had appeared to favour the biſhops: He iſſued orders to proſecute all thoſe clergymen, who had not read his declaration; that is, the whole church of England, two hundred excepted: He ſent a mandate to the new fellows, whom he had obtruded on Magdalen-college, to elect for preſident, in the room of Parker, lately deceaſed, one Gifford, a doctor of the Sorbonne, and titular biſhop of Madura: And he is even ſaid to have nominated the ſame perſon to the ſee of Oxford. So great an infatuation is perhaps an object of compaſſion rather than of anger: And is really ſurprizing in a man, who, in other reſpects, was not deficient in ſenſe and accompliſhments.

A FEW days before the acquittal of the biſhops, an event happened, which, in the king's ſentiments, much overbalanced all the mortifications, received on that occaſion. The queen was delivered of a ſon, who was baptized by the name of James. This bleſſing was impatiently longed for, not only by the king and queen, but by all the zealous catholics both abroad and at home. They ſaw, that the king was paſt middle age; and that on his death the ſucceſſion muſt devolve to the prince and princeſs of Orange, two zealous proteſtants, who would ſoon replace every thing on ancient foundations. Vows therefore were offered at every ſhrine for a male ſucceſſor: Pilgrimages were undertaken, particularly one to Loretto, by the dutcheſs of Modena; and ſucceſs was chiefly attributed to that pious journey. But in proportion as this event was agreeable to the catholics, it encreaſed the diſguſt of the proteſtants, by depriving them of that pleaſing, though ſomewhat diſtant proſpect, in which at preſent they flattered themſelves. Calumny even went ſo far as to aſcribe to the king the deſign of impoſing on the world a ſuppoſititious child, who might be educated in his principles, and after his death ſupport the catholic religion

10th June. Birth of the prince of Wales.

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1688. religion in his dominions. The nation almoſt univerſally believed him capable, from bigotry, of committing any crime; as they had ſeen, that, from like motives, he was guilty of every imprudence: And the affections of nature, they thought, would be eaſily ſacrificed to the ſuperior motive of propagating a catholic and orthodox faith. The preſent occaſion was not the firſt, when that calumny had been invented. In the year 1682, the queen, then dutcheſs of York, had been pregnant; and rumours were ſpread, that an impoſtor would, at that time, be obtruded upon the nation: But happily, the infant proved a female, and thereby ſpared the party all the trouble of ſupporting their improbable fiction [o].

o This ſtory is taken notice of in a weekly paper, the Obſervator, publiſhed at that very time, 23d of Auguſt, 1682. Party zeal is capable of ſwallowing the moſt incredible ſtory; but it is ſurely ſingular, that the ſame calumny, when once baffled, ſhould yet be renewed with ſuch ſucceſs.

CHAP. LXXI.

Conduct of the prince of Orange——He forms a league againſt France——refuſes to concur with the king——reſolves to oppoſe the king——Is applied to by the Engliſh——Coalition of parties——Prince's preparations——Offers of France to the king——rejected——Suppoſed league with France——General diſcontents——The king retracts his meaſures——Prince's declaration——The prince lands in England——General commotion——Deſertion of the army——and of prince George——and of the princeſs Anne——King's conſternation——and flight——General confuſion——King ſeized at Feverſham——Second eſcape——King's character——Convention ſummoned——Settlement of Scotland——Engliſh convention meets——Views of the parties——Free conference between the houſes——Commons prevail——Settlement of the crown——Manners and ſciences.

WHILE every motive, civil and religious, concurred to alienate from the king every rank and denomination of men, it might be expected, that his throne would, without delay, fall to pieces by its own weight: But ſuch is the influence of eſtabliſhed government; ſo averſe are men from beginning hazardous enterprizes; that, had not an attack been made from abroad, affairs might long have remained in their preſent delicate

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1688. Conduct of the prince of Orange.

situation, and James might at last have prevailed in his rash, and ill concerted projects.

THE prince of Orange, ever since his marriage with the lady Mary, had maintained a very prudent conduct; agreeably to that sound understanding, with which he was so eminently endowed. He made it a maxim to concern himself very little in English affairs, and never by any measure to disgust any of the factions, or give umbrage to the prince, who filled the throne. His natural inclination, as well as his interest, led him to employ himself with assiduous industry in the transactions on the continent, and to oppose the grandeur of the French monarch, against whom he had long, both from personal and political considerations, conceived a violent animosity. By this conduct, he gratified the prejudices of the whole English nation: But as he crossed the inclinations of Charles, who sought peace by compliance with France, he had much declined in the favour and affections of that monarch.

JAMES on his accession found it so much his interest to live on good terms with the heir apparent, that he showed the prince some demonstrations of friendship; and the prince, on his part, was not wanting in every instance of duty and regard towards the king. On Monmouth's invasion, he immediately dispatched over six regiments of British troops, which were in the Dutch service; and he offered to take the command of the king's forces against the rebels. How little soever he might approve of James's administration, he always kept a total silence on the subject, and gave no countenance to those discontents, which were propagated with such industry throughout the nation.

IT was from the application of James himself, that the prince first openly took any part in English affairs. Not-

CHAP. LXXI. 1688.

Notwithstanding the lofty ideas, which the king had entertained of his prerogative, he found, that the edicts, emitted from it, still wanted much of the authority of laws, and that the continuance of them might in the issue become dangerous, both to himself and to the catholics, whom he desired to favour. An act of parliament alone could ensure the indulgence or toleration, which he had laboured to establish; and he hoped, that, if the prince would declare in favour of that scheme, the members, who had hitherto resisted all his own applications, would at last be prevailed with to adopt it. The consent, therefore, of the prince to the repeal of the penal statutes and of the test was strongly solicited by the king; and in order to engage him to agree to that measure, hopes were given [p], that England would second him in all those enterprizes, which his active and extensive genius had with such success planned on the continent. He was at this time the center of all the negotiations of Christendom.

He forms a league against France.

THE emperor and the king of Spain, as the prince well knew, were enraged by the repeated injuries, which they had suffered from the ambition of Lewis, and still more, by the frequent insults, which his pride had made them undergo. He was apprized of the influence of these monarchs over the catholic princes of the empire: He had himself acquired great authority with the protestants: And he formed a project of uniting Europe in one general league against the encroachments of France, which seemed so nearly to threaten the liberty and independance of all its neighbours.

No characters are more incompatible than those of a conqueror and a persecutor; and Lewis soon found, that, besides his weakening France by the banishment of

[p] Burnet, vol. i. p. 711. D'Avaux, 15th of April, 1688.

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1688.

so many useful subjects, the refugees had enflamed all the protestant nations against him, and had raised him enemies, who, in defence of their religion as well as liberty, were obstinately resolved to oppose his progress. The city of Amsterdam and other towns in Holland, which had before fallen into a dependance on France, being terrified with the accounts, which they every moment received, of the furious persecutions against the Hugonots, had now dropped all domestic faction, and had entered into an entire confidence with the prince of Orange[q]. The protestant princes of the empire had formed a separate league at Magdebourg for the defence of their religion. The English were anew enraged at the blind bigotry of their sovereign, and were disposed to embrace the most desperate resolutions against him. From a view of the state of Europe during this period, it appears, that Lewis, besides sullying an illustrious reign, had wantonly by this persecution raised invincible barriers to his arms, which otherwise it had been difficult, if not impossible, to resist.

THE prince of Orange knew how to avail himself of all these advantages. By his intrigues and influence there was formed at Augsbourg a league, in which the whole empire united for its defence against the French monarch. Spain and Holland became parties in the alliance. The accession of Savoy was afterwards obtained. Sweden and Denmark seemed to favour the same cause. But though these numerous states composed the greater part of Europe, the league was still deemed imperfect and unequal to its end; so long as England maintained that neutrality, in which she had hitherto persevered.

[q] D'Avaux, 24th of July, 1681; 10th of June, 15th of October, 11th of November, 1688; vol. iv. p. 30.

JAMES,

CHAP. LXXI. 1688.

JAMES, though more prone to bigotry, was more sensible to his own and to national honour than his brother; and had he not been restrained by the former motive, he would have maintained with more spirit the interest and independance of his kingdoms. When a prospect, therefore, appeared of effecting his religious schemes by opposing the progress of France, he was not averse to that measure; and he gave his son-in-law room to hope, that, by concurring with his views in England, he might prevail with him to second those projects, which the prince was so ambitious of promoting.

Refuses to concur with the king.

A MORE tempting offer could not be made to a person of his enterprizing character: But the objections to that measure, upon deliberation, appeared to him insuperable. The king, he observed, had incurred the hatred of his own subjects: Great apprehensions were entertained of his designs: The only resource, which the nation saw, was in the future succession of the prince and princess: Should *he* concur in those dreaded measures, he should draw on himself all the odium, under which the king laboured: The nation might even refuse to bear the expence of alliances, which would in that case become so suspicious: And he might himself incur danger of losing a succession, which was awaiting him, and which the egregious indiscretion of the king seemed even to give him hopes of reaping, before it should devolve to him by the course of nature. The prince, therefore, would go no farther than to promise his consent to the repeal of the penal statutes, by which the nonconformists as well as catholics were exposed to punishment: The test he esteemed a security absolutely requisite for the established religion.

THE king did not remain satisfied with a single trial. There was one Stuart, a Scotch lawyer, who had been banished for pretended treasonable practices; but who had afterwards obtained a pardon, and had been recalled. By

CHAP. LXXI. 1683.

the king's directions, Stuart wrote ſeveral letters to penſionary Fagel, with whom he had contracted an acquaintance in Holland; and beſides urging all the motives for an unlimited toleration, he deſired, that his reaſons ſhould, in the king's name, be communicated to the prince and princeſs of Orange. Fagel during a long time made no reply; but finding, that his ſilence was conſtrued into an aſſent, he at laſt expreſſed his own ſentiments and thoſe of their Highneſſes. He ſaid, that it was their fixed opinion, that no man, merely becauſe he differed from the eſtabliſhed faith, ſhould ever, while he remained a peaceable ſubject, be expoſed to any puniſhment or even vexation. That the prince and princeſs gave heartily their conſent for repealing legally all the penal ſtatutes, as well thoſe which had been enacted againſt the catholics as againſt the proteſtant nonconformiſts; and would concur with the king in any meaſure for that purpoſe. That the teſt was not to be conſidered as a penalty inflicted on the profeſſors of any religion, but as a ſecurity provided for the eſtabliſhed worſhip. That it was no puniſhment on men to be excluded from public offices, and to live peaceably on their own revenues or induſtry. That even in the United Provinces, which were ſo often cited as models of toleration, though all ſects were admitted, yet civil offices were enjoyed by the profeſſors of the eſtabliſhed religion alone. That military commands, indeed, were ſometimes beſtowed on catholics; but as they were conferred with great precaution, and ſtill lay under the controul of the magiſtrate, they could give no juſt reaſon for umbrage. And that their Highneſſes, however deſirous of gratifying the king, and of endeavouring, by every means, to render his reign peaceable and happy, could not agree to any meaſure, which would expoſe their religion to ſuch imminent danger.

WHEN this letter was publiſhed, as it ſoon was, it inſpired great courage into the proteſtants of all denominations,

CHAP. LXXI. 1688.

nations, and served to keep them united in their opposition to the encroachments of the catholics. On the other hand, the king, who was not content with a simple toleration for his own religion, but was resolved, that it should enjoy great credit, if not an absolute superiority, was extremely disgusted, and took every occasion to express his displeasure, as well against the prince of Orange as the United Provinces. He gave the Algerine pyrates, who preyed on the Dutch, a reception in his harbours, and liberty to dispose of their prizes. He revived some complaints of the East India company with regard to the affair of Bantam[r]. He required the six British regiments in the Dutch service to be sent over. He began to put his navy in a formidable condition. And from all his movements, the Hollanders entertained apprehensions, that he sought only an occasion and pretence for making war upon them.

Resolves to oppose the king.

THE prince in his turn resolved to push affairs with more vigour, and to preserve all the English protestants in his interests, as well as maintain them firm in their present union against the catholics. He knew, that men of education in England were, many of them, retained in their religion more by honour than by principle[s]; and that, though every one was ashamed to be the first proselyte, yet, if the example were once set by some eminent persons, interest would every day make considerable conversions to a communion, which was so zealously encouraged by the sovereign. Dykvelt therefore was sent over as envoy to England; and the prince gave him instructions, besides publicly remonstrating with the king on his conduct both at home and abroad, to apply in his name, after a proper manner, to every sect and denomination. To the church party he sent assurances of favour and regard, and protested, that his education in Holland had no wise prejudiced him against episcopal government.

[r] D'Avaux, 21st of January, 1687. [s] Burnet.

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The nonconformiſts he exhorted not to be deceived by the fallacious careſſes of a popiſh court, but to wait patiently, till, in the maturity of time, laws, enacted by proteſtants, ſhould give them that toleration, which, with ſo much reaſon, they had long claimed and demanded. Dykvelt executed his commiſſion with ſuch dexterity, that all orders of men caſt their eyes towards Holland, and expected thence a deliverance from thoſe dangers, with which their religion and liberty were ſo nearly threatened.

Is applied to by the Engliſh.

MANY of the moſt conſiderable perſons, both in church and ſtate, made ſecret applications to Dykvelt, and through him to the prince of Orange. Admiral Herbert too, though a man of great expence, and ſeemingly of little religion, had thrown up his employments, and had retired to the Hague, where he aſſured the prince of the diſaffection of the ſeamen, by whom that admiral was extremely beloved. Admiral Ruſſel, couſin german to the unfortunate lord of that name, paſſed frequently between England and Holland, and kept the communication open with all the great men of the proteſtant party. Henry Sidney, brother to Algernon, and uncle to the earl of Sunderland, came over under pretence of drinking the waters at Spaw, and conveyed ſtill ſtronger aſſurances of an univerſal combination againſt the meaſures of the king. Lord Dumblaine, ſon of the earl of Danby, being maſter of a frigate, made ſeveral voyages to Holland, and carried from many of the nobility tenders of duty, and even conſiderable ſums of money[t], to the prince of Orange.

THERE remained, however, ſome reaſons, which retained all parties in awe, and kept them from breaking out into immediate hoſtility. The prince, on the one hand, was afraid of hazarding, by violent meaſures, an

[t] D'Avaux, 14th and 24th of September, 8th and 15th of October, 1688.

inherit-

inheritance, which the laws ensured to the princess; and the English protestants, on the other hand, from the prospect of her succession, still entertained hopes of obtaining at last a peaceable and a safe redress of all their grievances. But when a son was born to the king, both the prince and the English nation were reduced to despair, and saw no resource but in a confederacy for their mutual interests. And thus the event, which James had so long made the object of his most ardent prayers, and from which he expected the firm establishment of his throne, proved the immediate cause of his ruin and downfall. CHAP. LXXI. 1688.

ZUYLESTEIN, who had been sent over to congratulate the king on the birth of his son, brought back to the prince formal invitations from most of the great men in England, to assist them, by his arms, in the recovery of their laws and liberty. The bishop of London, the earls of Danby, Nottingham, Devonshire, Dorset, the duke of Norfolk, the lords Lovelace, Delamere, Paulet, Eland, Mr. Hambden, Powle, Lester, besides many eminent citizens of London; all these persons, though of opposite parties, concurred in their applications to the prince. The whigs, suitably to their ancient principles of liberty, which had led them to attempt the exclusion bill, easily agreed to oppose a king, whose conduct had justified whatever his worst enemies had prognosticated concerning his succession. The tories and the church party, finding their past services forgotten, their rights invaded, their religion threatened, agreed to drop for the present all over-strained doctrines of submission, and attend to the great and powerful dictates of nature. The nonconformists, dreading the caresses of known and inveterate enemies, deemed the offers of toleration more secure from a prince, educated in those principles, and accustomed to that practice. And thus all faction was for a time laid asleep in England; and rival parties, forgetting their animosity, had secretly concurred in a design of resisting their unhappy

Coalition of parties.

CHAP. LXXI. 1688.

happy and misguided sovereign. The earl of Shrewsbury, who had acquired great popularity by deserting, at this time, the catholic religion, in which he had been educated, left his regiment, mortgaged his estate for forty thousand pounds, and made a tender of his sword and purse to the prince of Orange. Lord Wharton, notwithstanding his age and infirmities, had taken a journey for the same purpose. Lord Mordaunt was at the Hague, and pushed on the enterprize with that ardent and courageous spirit, for which he was so eminent. Even Sunderland, the king's favourite minister, is believed to have entered into a correspondence with the prince; and at the expence of his own honour and his master's interest, to have secretly favoured a cause, which he foresaw, was likely soon to predominate [u].

The prince was easily engaged to yield to the applications of the English, and to embrace the defence of a nation, which, during its present fears and distresses, regarded him as its sole protector. The great object of his ambition was to be placed at the head of a confederate army, and by his valour to avenge the injuries, which he himself, his country, and his allies, had sustained from the haughty Lewis. But while England remained under the present government, he despaired of ever forming a league, which would be able, with any probability of success, to make opposition against that powerful monarch. The tyes of affinity could not be supposed to have great influence over a person of the prince's rank and temper; much more, as he knew, that they were at first unwillingly contracted by the king, and had never since been cultivated by any essential favours or good offices. Or should any reproach remain upon him for violating the duties of private life; the glory of delivering oppressed

[u] D'Avaux was always of that opinion. See his negotiations 6th and 20th of May, 18th, 27th of September, 22d of November, 1688. On the whole, that opinion is the most probable.

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nations would, he hoped, be able, in the eyes of reasonable men, to make ample compensation. He could not well expect, on the commencement of his enterprize, that it would lead him to mount the throne of England: But he undoubtedly foresaw, that its success would establish his authority in that kingdom. And so egregious was James's temerity, that there was no advantage, so great or obvious, which that prince's indiscretion might not afford his enemies. CHAP. LXXI. 1688.

THE prince of Orange, throughout his whole life, was peculiarly happy in the situations, in which he was placed. He saved his own country from ruin, he restored the liberties of these kingdoms, he supported the general independency of Europe. And thus, though his virtue, it is confessed, be not the purest, which we meet with in history, it will be difficult to find any person, whose actions and conduct have contributed more eminently to the general interests of society and of mankind.

THE time, when the prince entered on his enterprize, was well chosen; as the people were then in the highest ferment, on account of the insult, which the imprisonment and trial of the bishops had put upon the church, and indeed upon all the protestants of the nation. His method of conducting his preparations was no less wise and politic. Under other pretences he had beforehand made considerable augmentations to the Dutch navy; and the ships were at that time lying in harbour. Some additional troops were also levied; and sums of money, raised for other purposes, were diverted by the prince to the use of this expedition. The States had given him their entire confidence; and partly from terror of the power of France, partly from disgust at some restraints laid on their commerce in that kingdom, were sensible how necessary success in this enterprize was become to their domestic happiness and security. Many of the neigh- Prince's preparations.

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neighbouring princes regarded him as their guardian and protector, and were guided by him in all their counsels. He held conferences with Castanaga, governor of the Spanish Netherlands, with the electors of Brandenburgh and Saxony, with the Landgrave of Hesse-Cassel, and with the whole house of Lunenbourg. It was agreed, that these princes should replace the troops employed against England, and should protect the United Provinces during the absence of the prince of Orange. Their forces were already on their march for that purpose: A considerable encampment of the Dutch army was formed at Nimeguen: Every place was in movement; and though the roots of this conspiracy reached from one end of Europe to the other, so secret were the prince's counsels, and so fortunate was the situation of affairs, that he could still cover his preparations under other pretences; and little suspicion was entertained of his real intentions.

The king of France, menaced by the league of Augsbourg, had resolved to strike the first blow against the allies; and having sought a quarrel with the emperor and the elector Palatine, he had invaded Germany with a great army, and had laid siege to Philipsbourg. The elector of Cologne, who was also bishop of Liege and Munster, and whose territories almost entirely surrounded the United Provinces, had died about this time; and the candidates for that rich succession were prince Clement of Bavaria, supported by the house of Austria, and the cardinal of Furstemberg, a prelate dependant on France. The pope, who favoured the allies, was able to throw the balance between the parties, and prince Clement was chosen; a circumstance which contributed extremely to the security of the States. But as the cardinal kept possession of many of the fortresses, and had applied to France for succour, the neighbouring territories were full

full of troops; and by this means the preparations of the Dutch and their allies seemed intended merely for their own defence against the different enterprizes of Lewis. CHAP. LXXI. 1688.

ALL the artifices, however, of the prince could not entirely conceal his real intentions from the sagacity of the French court. D'Avaux, Lewis's envoy at the Hague, had been able, by a comparison of circumstances, to trace the purposes of the preparations in Holland; and he instantly informed his master of the discovery. Lewis conveyed the intelligence to James; and accompanied the information with an important offer. He was willing to join a squadron of French ships to the English fleet; and to send over any number of troops, which James should judge requisite for his security. When this proposal was rejected, he again offered to raise the siege of Philipsbourg, to march his army into the Netherlands, and by the terror of his arms to detain the Dutch forces in their own country. This proposal met with no better reception. Offers of France to the king.

JAMES was not, as yet, entirely convinced, that his son in law intended an invasion upon England. Fully persuaded, himself, of the sacredness of his own authority, he fancied, that a like belief had made deep impression on his subjects; and notwithstanding the strong symptoms of discontent which broke out every where, such an universal combination in rebellion appeared to him no wise credible. His army, in which he trusted, and which he had considerably augmented, would be easily able, he thought, to repel foreign force, and to suppress any sedition among the populace. A small number of French troops, joined to these, might tend only to breed discontent; and afford them a pretence for mutinying against foreigners, so much feared and hated by the nation. A great body of auxiliaries might indeed secure him both against an invasion from Holland, and against Rejected.

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againſt the rebellion of his own ſubjects; but would be able afterwards to reduce him to dependance, and render his authority entirely precarious. Even the French invaſion of the Low Countries might be attended with dangerous conſequences; and would ſuffice, in theſe jealous times, to revive the old ſuſpicion of a combination againſt Holland, and againſt the proteſtant religion; a ſuſpicion, which had already produced ſuch diſcontents in England. Theſe were the views ſuggeſted by Sunderland; and it muſt be confeſſed, that the reaſons, on which they were founded, were ſufficiently plauſible; as indeed the ſituation, to which the king had reduced himſelf, was, to the laſt degree, delicate and perplexing.

STILL Lewis was unwilling to abandon a friend and ally, whoſe intereſts he regarded as cloſely connected with his own. By the ſuggeſtion of Skelton, the king's miniſter at Paris, orders were ſent to D'Avaux to remonſtrate with the States in Lewis's name againſt thoſe preparations, which they were making to invade England. The ſtrict amity, ſaid the French miniſter, which ſubſiſts between the two monarchs will make Lewis regard every attempt againſt his ally as an act of hoſtility againſt himſelf. This remonſtrance had a bad effect, and put the States in a flame. What is this alliance, they aſked, between France and England, which has been ſo carefully concealed from us? Is it of the ſame nature with the former; meant for our deſtruction and for the extirpation of the proteſtant religion? If ſo, it is high time for us to provide for our own defence, and to anticipate thoſe projects, which are forming againſt us.

EVEN James was diſpleaſed with this officious ſtep taken by Lewis for his ſervice. He was not reduced, he ſaid, to the condition of the cardinal of Furſtemberg, and obliged to ſeek the protection of France. He recalled Skelton, and threw him into the Tower for his raſh

rash conduct. He solemnly disavowed D'Avaux's memorial; and protested, that no alliance subsisted between him and Lewis, but what was public and known to all the world. The States, however, still affected to appear incredulous on that head [x]; and the English, prepossessed against their sovereign, firmly believed, that he had concerted a project with Lewis for their entire subjection. Portsmouth, it was said, was to be put into the hands of that ambitious monarch: England was to be filled with French and Irish troops: And every man, who refused to embrace the Romish superstition, was by these bigoted princes devoted to certain destruction. CHAP. LXXI. 1688.

THESE suggestions were every where spread abroad, and tended to augment the discontents, of which both the fleet and army, as well as the people, betrayed every day the most evident symptoms. The fleet had begun to mutiny; because Stricland, the admiral, a Roman catholic, introduced the mass aboard his ship, and dismissed the protestant chaplain. It was with some difficulty the seamen could be appeased; and they still persisted in declaring, that they would not fight against the Dutch, whom they called friends and brethren; but would willingly give battle to the French, whom they regarded as national enemies. The king had intended to augment his army with Irish recruits, and he resolved to try the experiment on the regiment of the duke of Berwic, his natural son; but Beaumont, the lieutenant-colonel, refused to admit them; and to this opposition five captains steadily adhered. They were all cashiered; and had not the discontents of the army on this occasion become very

[x] That there really was no new alliance formed betwixt France and England appears both from Sunderland's apology, and from D'Avaux's negotiations, lately published: See vol. iv. p. 18. Eng. translation, 27th of September, 1687. 16th of March, 6th of May, 10th of August, 2d, 23d, and 24th of September, 5th and 7th of October, 11th of November, 1688.

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CHAP. LXXI. apparent, it was resolved to have punished those officers for mutiny.

1688. THE king made a trial of the dispositions of his army, in a manner still more undisguised. Finding opposition from all the civil and ecclesiastical orders of the kingdom, he resolved to appeal to the military, who, if unanimous, were able alone to serve all his purposes, and to enforce universal obedience. His intention was to engage all the regiments, one after another, to give their consent to the repeal of the test and penal statutes; and accordingly, the major of Litchfield's drew out the battallion before the king, and told them, that they were required either to enter into his majesty's views in these particulars, or to lay down their arms. James was surprised to find, that, two captains and a few popish soldiers excepted, the whole battallion immediately embraced the latter part of the alternative. For some time, he remained speechless; but having recovered from his astonishment, he commanded them to take up their arms; adding with a sullen, discontented air, "That for the future, he would not do "them the honour to apply for their approbation."

WHILE the king was dismayed with these symptoms of general disaffection, he received a letter from the marquess
23d Sept. of Albeville, his minister at the Hague; which informed him with certainty, that he was soon to look for a powerful invasion from Holland, and that pensionary Fagel had at last acknowledged, that the scope of all the Dutch naval preparations was to transport forces into England. Though James could reasonably expect no other intelligence, he was astonished at the news: He grew pale, and the letter dropped from his hand: His eyes were now opened, and he found himself on the brink of a frightful precipice, which his delusions had hitherto concealed from him. His ministers and counsellors, equally astonished, saw no resource but in a sudden and precipitate retrac-

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retractation of all those fatal measures, by which he had created to himself so many enemies, foreign and domestic. He paid court to the Dutch, and offered to enter into any alliance with them for common security: He replaced in all the counties the deputy-lieutenants and justices, who had been deprived of their commissions for their adherence to the test and the penal laws: He restored the charters of London and of all the corporations: He annulled the court of ecclesiastical commission: He took off the bishop of London's suspension: He re-instated the expelled president and fellows of Magdalen college: And he was even reduced to caress those bishops, whom he had so lately prosecuted and insulted. All these measures were regarded as symptoms of fear, not of repentance. The bishops, instead of promising succour, or suggesting comfort, recapitulated to him all the instances of his mal-administration, and advised him thenceforwards to follow more salutary counsel. And as intelligence arrived of a great disaster, which had befallen the Dutch fleet, it is commonly believed, that the king recalled, for some time, the concessions, which he had made to Magdalen college: A bad sign of his sincerity in his other concessions. Nay, so prevalent were his unfortunate prepossessions, that, amidst all his present distresses, he could not forbear, at the baptism of the young prince, appointing the pope to be one of the god-fathers.

The king retracts his measures.

THE report, that a supposititious child was to be imposed on the nation, had been widely spread, and greedily received, before the prince of Wales's birth: But the king, who, without seeming to take notice of the matter, might easily have quashed that ridiculous rumour, had, from an ill-timed haughtiness, totally neglected it. He disdained, he said, to satisfy those, who could deem him capable of so base and villainous an action. Find-

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ing that the calumny ſtill gained ground, and had made deep impreſſion on his ſubjects, he was now obliged to ſubmit to the mortifying taſk of aſcertaining the reality of that birth. Though no particular attention had been beforehand given to enſure proof, the evidence, both of the queen's pregnancy and delivery was rendered undiſputable; and ſo much the more, as no argument or proof of any importance, nothing but popular rumour and ſurmize, could be thrown into the oppoſite ſcale.

Prince's declaration.

MEANWHILE, the prince of Orange's declaration was diſperſed over the kingdom, and met with univerſal approbation. All the grievances of the nation were there enumerated: The diſpenſing and ſuſpending power; the court of eccleſiaſtical commiſſion; the filling of all offices with catholics, and the raiſing of a jeſuit to be privy-counſellor; the open encouragement given to popery, by building every where churches, colleges, and ſeminaries for that ſect: the diſplacing of judges, if they refuſed to give ſentence according to orders received from court; the annulling of the charters of all the corporations, and the ſubjecting of elections to arbitrary will and pleaſure; the treating of petitions, even the moſt modeſt, and from perſons of the higheſt rank, as criminal and ſeditious; the committing of the whole authority of Ireland, civil and military, into the hands of papiſts; the aſſuming of an abſolute power over the religion and laws of Scotland, and openly exacting in that kingdom an obedience without reſerve; and the violent preſumptions againſt the legitimacy of the prince of Wales. In order to redreſs all theſe grievances, the prince ſaid, that he intended to come over to England with an armed force, which might protect him from the king's evil counſellors: And that his ſole aim was to have a legal and free parliament ſummoned, who might provide for the ſafety and liberty of the nation, as well

as examine the proofs of the prince of Wales's legitimacy. No one, he added, could entertain such hard thoughts of him as to imagine, that he had formed any other design than to procure the full and lasting settlement of religion, liberty, and property. The force, which he meant to bring with him, was totally disproportioned to any views of conquest; and it were absurd to suspect, that so many persons of high rank, both in church and state, would have given him so many solemn invitations for such a pernicious purpose. Though the English ministers, terrified with his enterprize, had pretended to redress some of the grievances complained of; there still remained the foundation of all grievances, that upon which they could in an instant be again erected, an arbitrary and despotic power in the crown. And for this usurpation there was no possible remedy, but by a full declaration of all the rights of the subject in a free parliament. CHAP. LXXI. 1688.

So well concerted were the prince's measures, that, in three days, above four hundred transports were hired; the army quickly fell down the rivers and canals from Nimeguen; the artillery, arms, stores, and horses were embarked; and the prince set sail from Helvoet-Sluice, with a fleet of near five hundred vessels, and an army of above fourteen thousand men. He first encountered a storm, which drove him back: But his loss being soon repaired, the fleet put to sea under the command of admiral Herbert, and made sail with a fair wind towards the west of England. The same wind detained the king's fleet in their station near Harwich, and enabled the Dutch to pass the streights of Dover without opposition. Both shores were covered with multitudes of people, who, besides admiring the grandeur of the spectacle, were held in anxious suspence by the prospect of an enterprize, the most important, which, during some ages, had been undertaken in Europe. The 21st of October.

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prince had a prosperous voyage, and landed his army safely in Torbay on the fifth of November, the anniversary of the gunpowder-treason.

THE Dutch army marched first to Exeter; and the prince's declaration was there published. That whole county was so terrified with the executions, which had ensued upon Monmouth's rebellion, that no one for several days joined the prince. The bishop of Exeter in a fright fled to London, and carried to court intelligence of the invasion. As a reward of his zeal, he received the archbishopric of York, which had long been kept vacant, with an intention, as was universally believed, of bestowing it on some catholic. The first person, who joined the prince, was major Burrington; and he was quickly followed by the gentry of the counties of Devon and Somerset. Sir Edward Seymour made proposals for an association, which every one signed. By degrees, the earl of Abingdon, Mr. Russel, son of the earl of Bedford, Mr. Wharton, Godfrey, Howe came to Exeter. All England was in commotion. Lord Delamere took arms in Cheshire, the earl of Danby seized York, the earl of Bath, governor of Plymouth, declared for the prince, the earl of Devonshire made a like declaration in Derby. The nobility and gentry of Nottingham embraced the same cause; and every day there appeared some effect of that universal combination, into which the nation had entered against the measures of the king. Even those who took not the field against him, were able to embarass and confound his counsels. A petition for a free parliament was signed by twenty-four bishops and peers of the greatest distinction, and was presented to the king. No one thought of opposing or resisting the invader.

General commotion.

BUT the most dangerous symptom was the disaffection, which, from the general spirit of the nation, not from any particular

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particular reason, had creeped into the army. The officers seemed all disposed to prefer the interests of their country and of their religion to those principles of honour and fidelity, which are commonly esteemed the most sacred ties by men of that profession. Lord Colchester, son of the earl of Rivers, was the first officer that deserted to the prince; and he was attended by a few of his troops. Lord Lovelace made a like effort; but was intercepted by the militia under the duke of Beaufort and taken prisoner: Lord Cornbury, son of the earl of Clarendon, was more successful. He attempted to carry over three regiments of cavalry; and he actually brought a considerable part of them to the prince's quarters. Several officers of distinction informed Feversham, the general, that they could not in conscience fight against the prince of Orange.

Lord Churchhill had been raised from the rank of a page, had been invested with a high command in the army, had been created a peer, and had owed his whole fortune to the king's bounty: Yet even he could resolve, during the present extremity, to desert his unhappy master, who had ever reposed entire confidence in him. He carried with him the duke of Grafton, natural son of the late king, colonel Berkeley, and some troops of dragoons. This conduct was a signal sacrifice to public virtue of every duty in private life; and required, for ever after, the most upright, disinterested, and public spirited behaviour to render it justifiable.

The king had arrived at Salisbury, the head quarters of his army, when he received this fatal news. That prince, though a severe enemy, had ever appeared a warm, steady, and sincere friend; and he was extremely shocked with this, as well as with many other instances of ingratitude, to which he was now exposed. There remained none in whom he could confide. As the whole

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army had discovered symptoms of discontent, he concluded it full of treachery; and being deserted by those whom he had most favoured and obliged, he no longer expected, that others would hazard their lives in his service. During this distraction and perplexity, he embraced a sudden resolution of drawing off his army, and retiring towards London: A measure, which could only serve to betray his fears, and provoke farther treachery.

25th of November.

But Churchhill had prepared a still more mortal blow for his distressed benefactor. His lady and he had an entire ascendant over the family of prince George of Denmark; and the time now appeared seasonable for overwhelming the unhappy king, who was already staggering with the violent shocks, which he had received. Andover was the first stage of James's retreat towards London; and there, prince George, together with the young duke of Ormond, Sir George Huet, and some other persons of distinction, deserted him in the night-time, and retired to the prince's camp. No sooner had this news reached London, than the princess Anne, pretending fear of the king's displeasure, withdrew herself in company with the bishop of London and lady Churchhill. She fled to Nottingham; where the earl of Dorset received her with great respect, and the gentry of the county quickly formed a troop for her protection.

and of prince George,

and of the princess Anne.

The late king, in order to gratify the nation, had entrusted the education of his nieces entirely to protestants; and as these princesses were deemed the chief resource of the established religion after their father's defection, great care had been taken to instill into them, from their earliest infancy, the strongest prejudices against popery. During the violence too of such popular currents, as now prevailed in England, all private considerations are commonly lost in the general passion; and the more principle any person possesses, the more apt is he,

on

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on ſuch occaſions, to neglect and abandon his domeſtic duties. Though theſe cauſes may account for the princeſs's behaviour, they had nowiſe prepared the king to expect ſo aſtoniſhing an event. He burſt into tears, when the firſt intelligence of it was conveyed to him. Undoubtedly he foreſaw in this incident the total expiration of his royal authority: But the nearer and more intimate concern of a parent laid hold of his heart; when he found himſelf abandoned in his uttermoſt diſtreſs by a child, and a virtuous child, whom he had ever regarded with the moſt tender affection. "God help me," cried he, in the extremity of his agony, "my "own children have forſaken me!" It is indeed ſingular, that a prince, whoſe chief blame conſiſted in imprudences and miſguided principles, ſhould be expoſed, from religious antipathy, to ſuch treatment as even Nero, Domitian, or the moſt enormous tyrants, that have diſgraced the records of hiſtory, never met with from their friends and family.

King's conſternation,

So violent were the prejudices, which at this time prevailed, that this unhappy father, who had been deſerted by his favourite child, was believed, upon her diſappearing, to have put her to death: And it was fortunate, that the truth was timely diſcovered; otherwiſe the populace, even the king's guards themſelves, might have been engaged, in revenge, to commence a maſſacre of the prieſts and catholics.

THE king's fortune now expoſed him to the contempt of his enemies; and his behaviour was not ſuch as could gain him the eſteem of his friends and adherents. Unable to reſiſt the torrent, he preſerved not preſence of mind in yielding to it; but ſeemed in this emergence as much depreſſed with adverſity, as he had before been vainly elated by proſperity. He called a council of all the peers and prelates who were in London; and followed

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lowed their advice in iſſuing writs for a new parliament, and in ſending Halifax, Nottingham, and Godolphin, as commiſſioners to treat with the prince of Orange. But theſe were the laſt acts of royal authority which he exerted. He even hearkened to imprudent counſel, by which he was prompted to deſert the throne, and to gratify his enemies beyond what their fondeſt hopes could have promiſed them.

THE queen, obſerving the fury of the people, and knowing how much ſhe was the object of general hatred, was ſtruck with the deepeſt terror, and began to apprehend a parliamentary impeachment, from which, ſhe was told, the queens of England were not exempted. The popiſh courtiers, and above all, the prieſts, were aware, that they ſhould be the firſt ſacrifice, and that their perpetual baniſhment was the ſmalleſt penalty, which they muſt expect from national reſentment. They were, therefore, deſirous of carrying the king along with them; whoſe preſence, they knew, would ſtill be ſome reſource and protection to them in foreign countries, and whoſe reſtoration, if it ever happened, would again re-inſtate them in power and authority. The general defection of the proteſtants made the king regard the catholics, as his only ſubjects, on whoſe counſel he could rely; and the fatal cataſtrophe of his father afforded them a plauſible reaſon for making him apprehend a like fate. The great difference of circumſtances was not, during men's preſent diſtractions, ſufficiently weighed. Even after the people were inflamed by a long civil war, the execution of Charles I. could not be deemed a national deed: It was perpetrated by a fanatical army, puſhed on by a daring and enthuſiaſtic leader; and the whole kingdom had ever entertained, and did ſtill entertain, a violent abhorrence againſt that enormity. The ſituation of public affairs, therefore, no more reſembled what it was forty years before,

before, than the prince of Orange, either in birth, character, fortune, or connexions, could be supposed a parallel to Cromwel. CHAP. LXXI. 1688.

THE emissaries of France, and among the rest, Barillon, the French ambassador, were busy about the king; and they had entertained a very false notion, which they instilled into him, that nothing would more certainly retard the public settlement, and beget universal confusion, than his deserting the kingdom. The prince of Orange had with good reason embraced a contrary opinion; and he deemed it extremely difficult to find expedients for securing the nation, so long as the king kept possession of the crown. Actuated, therefore, by this public motive, and no less, we may well presume, by private ambition, he was determined to use every expedient, which might intimidate the king, and make him quit that throne, which he himself was alone enabled to fill. He declined a personal conference with James's commissioners, and sent the earls of Clarendon and Oxford to treat with them: The terms, which he proposed, implied almost a present participation of the sovereignty: And he stopped not a moment the march of his army towards London.

THE news, which the king received from all quarters, helped to continue the panic, into which he was fallen, and which his enemies expected to improve to their advantage. Colonel Copel, deputy-governor of Hull, made himself master of that important fortress; and threw into prison lord Langdale, the governor, a catholic; together with lord Montgomery, a nobleman of the same religion. The town of Newcastle received lord Lumley, and declared for the prince of Orange and a free parliament. The duke of Norfolk, lord lieutenant of the county of that name, engaged it in the same measure. The prince's declaration was read at Oxford by

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by the duke of Ormond, and was received with great applauſe by that loyal univerſity, who alſo made an offer of their plate to the prince. Every day, ſome perſon of quality or diſtinction, and among the reſt, the duke of Somerſet, went over to the enemy. A violent declaration was diſperſed in the prince's name, but without his participation; in which every one was commanded to ſeize and puniſh all papiſts, who, contrary to law, pretended either to carry arms, or exerciſe any act of authority. It may not be unworthy of notice, that a merry ballad, called Lilliballero, being at this time publiſhed in deriſion of the papiſts and the Iriſh, it was greedily received by the people, and was ſung by all ranks of men, even by the king's army, who were ſtrongly ſeized with the national ſpirit. This incident both diſcovered, and ſerved to encreaſe, the general diſcontent of the kingdom.

THE contagion of mutiny and diſobedience had alſo reached Scotland, whence the regular forces, contrary to the advice of Balcarras, the treaſurer, were withdrawn, in order to re-inforce the Engliſh army. The marqueſs of Athole, together with viſcount Tarbat, and others, finding the opportunity favourable, began to form intrigues againſt Perth, the chancellor; and the preſbyterians and other malcontents flocked from all quarters to Edinburgh. The chancellor, apprehenſive of the conſequences, found it expedient to abſcond; and the populace, as if that event were a ſignal for their inſurrection, immediately roſe in arms, and rifled the popiſh chapel in the king's palace. All the catholics, even all the zealous royaliſts, were obliged to conceal themſelves; and the privy council, inſtead of their former ſubmiſſive ſtrains of addreſs to the king, and violent edicts againſt their fellow ſubjects, now made applications to the prince of Orange, as the reſtorer of law and liberty.

THE

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THE king every moment alarmed, more and more, with these proofs of a general disaffection, not daring to repose trust in any but those who were exposed to more danger than himself, agitated by disdain towards ingratitude, by indignation against disloyalty, impelled by his own fears and those of others, precipitately embraced the resolution of escaping into France; and he sent off beforehand the queen and the infant prince, under the conduct of count Lauzun, an old favourite of the French monarch. He himself disappeared in the night-time, attended only by Sir Edward Hales; and made the best of his way to a ship, which waited for him near the mouth of the river. As if this measure had not been the most grateful to his enemies of any that he could adopt, he had carefully concealed his intention from all the world; and nothing could equal the surprize, which seized the city, the court, and the kingdom, upon the discovery of this strange event. Men beheld, all of a sudden, the reins of government thrown up by the hand which held them; and saw none, who had any right or even pretension, to take possession of them.

and flight, 12th Dec.

THE more effectually to involve every thing in confusion, the king appointed not any one, who should, in his absence, exercise any part of the administration; he threw the great seal into the river; and he recalled all those writs, which had been issued for the election of the new parliament. It is often supposed, that the sole motive, which impelled him to this sudden desertion, was his reluctance to meet a free parliament, and his resolution not to submit to those terms, which his subjects would deem requisite for the security of their liberties and their religion. But it must be considered, that his subjects had first deserted him, and entirely lost his confidence; that he might reasonably be supposed to entertain fears for his liberty, if not for his life; and that the con-

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conditions would not probably be moderate, which the nation, ſenſible of his inflexible temper, enraged with the violation of their laws and the danger of their religion, and foreſeeing his reſentment on account of their paſt reſiſtance, would, in his preſent circumſtances, exact from him.

By this temporary diſſolution of government, the populace were maſters; and there was no diſorder, which, during their preſent ferment, might not be dreaded from them. They roſe in a tumult and deſtroyed all the maſs-houſes. They even attacked and rifled the houſes of the Florentine envoy and Spaniſh ambaſſador, where many of the catholics had lodged their moſt valuable effects. Jefferies, the chancellor, who had diſguiſed himſelf, in order to fly the kingdom, was diſcovered by them, and ſo abuſed, that he died a little after. Even the army, which ſhould have ſuppreſſed thoſe tumults, would, it was apprehended, ſerve rather to encreaſe the general diſorder. Feverſham had no ſooner heard of the king's flight, than he diſbanded the troops in the neighbourhood, and without either diſarming or paying them, let them looſe to prey upon the country.

In this extremity, the biſhops and peers, who were in town, being the only remaining authority of the ſtate (for the privy council, compoſed of the king's creatures, was totally diſregarded) thought proper to aſſemble, and to interpoſe for the preſervation of the community. They choſe the marqueſs of Halifax ſpeaker: They gave directions to the mayor and aldermen for keeping the peace of the city: They iſſued orders, which were readily obeyed, to the fleet, the army, and all the garriſons: And they made applications to the prince of Orange, whoſe enterprize they highly applauded, and whoſe ſucceſs they joyfully congratulated.

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THE prince on his part was not wanting to the tide of ſucceſs, which flowed in upon him, nor backward in aſſuming that authority, which the preſent exigency had put into his hands. Beſides the general popularity, attending his cauſe, a new incident made his approach to London ſtill more welcome. In the preſent trepidation of the people, a rumour aroſe, either from chance or deſign, that the diſbanded Iriſh had taken arms, and had commenced an univerſal maſſacre of the proteſtants. This ridiculous belief was ſpread all over the kingdom in one day; and begat every where the deepeſt conſternation. The alarum bells were rung; the beacons fired; men fancied that they ſaw at a diſtance the ſmoke of the burning cities, and heard the groans of thoſe who were ſlaughtered in their neighbourhood. It is ſurprizing, that the catholics did not all periſh, in the rage which naturally ſucceeds to ſuch popular panics.

King ſeized at Feverſham.

WHILE every one, from principle, intereſt, or animoſity, turned his back on the unhappy king, who had abandoned his own cauſe, the unwelcome news arrived, that he had been ſeized by the populace at Feverſham, as he was making his eſcape in diſguiſe; that he had been much abuſed, till he was known; but that the gentry had then interpoſed and protected him, though they ſtill refuſed to conſent to his eſcape. This intelligence threw all parties into confuſion. The prince ſent Zuyleſtein with orders, that the king ſhould approach no nearer than Rocheſter; but the meſſage came too late. He was already arrived in London, where the populace, moved by compaſſion for his unhappy fate, and actuated by their own levity, had received him with ſhouts and acclamations.

DURING the king's abode at Whitehall, little attention was payed to him by the nobility or any perſons of diſtinction. They had, all of them, been previouſly diſ-

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disgusted on account of his blind partiality to the catholics; and they knew, that they were now become more criminal in his eyes by their late public applications to the prince of Orange. He himself shewed not any symptom of spirit, nor discovered any intention of resuming the reins of government, which he had once thrown aside. His authority was now plainly expired; and as he had exercised his power, while possessed of it, with very precipitate and haughty counsels, he relinquished it by a despair, equally precipitate and pusillanimous.

NOTHING remained for the now ruling powers but to deliberate how they should dispose of his person. Besides, that the prince may justly be supposed to have possessed more generosity than to think of offering violence to an unhappy monarch, so nearly related to him, he knew, that nothing would so effectually promote his own views as the king's retiring into France, a country at all times obnoxious to the English. It was determined, therefore, to push him into that measure, which, of himself, he seemed sufficiently inclined to embrace. The king having sent lord Feversham on a civil message to the prince, desiring a conference for an accommodation in order to the public settlement, that nobleman was put in arrest, under pretence of his coming without a passport: The Dutch guards were ordered to take possession of Whitehall, where James then resided, and to displace the English: And Halifax, Shrewsbury, and Delamere, brought a message from the prince, which they delivered to the king in bed after midnight, ordering him to leave his palace next morning, and to depart for Ham, a seat of the dutchess of Lauderdale's. He desired permission, which was easily granted, of retiring to Rochester, a town near the sea-coast. It was perceived, that the artifice had taken effect; and that the king, terrified with this

this harſh treatment, had renewed his former reſolution of leaving the kingdom. CHAP. LXXI. 1688.

He lingered, however, ſome days at Rocheſter, under the protection of a Dutch guard, and ſeemed deſirous of an invitation ſtill to keep poſſeſſion of the throne. He was undoubtedly ſenſible, that, as he had, at firſt, truſted too much to his people's loyalty, and in confidence of their ſubmiſſion, had offered the higheſt violence to their principles and prejudices; ſo had he, at laſt, on finding his diſappointment, gone too far in the other extreme, and had haſtily ſuppoſed them deſtitute of all ſenſe of duty or allegiance. But obſerving, that the church, the nobility, the city, the country, all concurred in neglecting him, and leaving him to his own counſels, he ſubmitted to his melancholy fate; and being urged by earneſt letters from the queen, he privately embarked on board a frigate which waited for him; and he arrived ſafely at Ambleteuſe in Picardy, whence he haſtened to St. Germains. Lewis received him with the higheſt generoſity, ſympathy, and regard; a conduct, which, more than his moſt ſignal victories, contributes to the honour of that great monarch. Second eſcape. 23d Dec.

Thus ended the reign of a prince, whom, if we conſider his perſonal character rather than his public conduct, we may ſafely pronounce more unfortunate than criminal. He had many of thoſe qualities, which form a good citizen: Even ſome of thoſe, which, had they not been ſwallowed up in bigotry and arbitrary principles, ſerve to compoſe a good ſovereign. In domeſtic life, his conduct was irreproachable, and is intitled to our approbation. Severe, but open in his enmities, ſteady in his counſels, diligent in his ſchemes, brave in his enterprizes, faithful, ſincere, and honourable in his dealings with all men: Such was the character, with which the duke of York mounted the throne of England. In that high ſtation, King's character.

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ſtation, his frugality of public money was remarkable, his induſtry exemplary, his application to naval affairs ſucceſsful, his encouragement of trade judicious, his jealouſy of national honour laudable: What then was wanting to make him an excellent ſovereign? A due regard and affection to the religion and conſtitution of his country. Had he been poſſeſſed of this eſſential quality, even his middling talents, aided by ſo many virtues, would have rendered his reign honourable and happy. When it was wanting, every excellency, which he poſſeſſed, became dangerous and pernicious to his kingdoms.

THE ſincerity of this prince (a virtue, on which he highly valued himſelf) has been much queſtioned in thoſe reiterated promiſes, which he made of preſerving the liberties and religion of the nation. It muſt be confeſſed, that his reign was almoſt one continued invaſion of both; yet it is known, that, to his laſt breath, he perſiſted in aſſerting, that he never meant to ſubvert the laws, or procure more than a toleration and an equality of privileges to his catholic ſubjects. This queſtion can only affect the perſonal character of the king, not our judgment of his public conduct. Though by a ſtretch of candour we ſhould admit of his ſincerity in theſe profeſſions, the people were equally juſtifiable in their reſiſtance of him. So lofty was the idea, which he had entertained of his *legal* authority, that it left his ſubjects little or no right to liberty, but what was dependent on his ſovereign will and pleaſure. And ſuch was his zeal for proſelytiſm, that, whatever he might at firſt have intended, he plainly ſtopped not at toleration and equality: He confined all power, encouragement, and favour to the catholics: Converts from intereſt would ſoon have multiplied upon him: If not the greateſt, at leaſt the beſt part of the people, he would have flattered himſelf, was brought over to his religion; And he would in a little time

time have thought it juſt, as well as pious, to beſtow on it all the public eſtabliſhments. Rigours and perſecutions againſt heretics would ſpeedily have followed; and thus liberty and the proteſtant religion would in the iſſue have been totally ſubverted; though we ſhould not ſuppoſe, that James, in the commencement of his reign, had ſeriouſly formed a plan for that purpoſe. And on the whole, allowing this king to have poſſeſſed good qualities and good intentions, his conduct ſerves only, on that very account, as a ſtronger proof, how dangerous it is to allow any prince, infected with the catholic ſuperſtition, to wear the crown of theſe kingdoms. CHAP. LXXI. 1688.

AFTER this manner, the courage and abilities of the prince of Orange, ſeconded by ſurprizing fortune, had effected the deliverance of this iſland; and with very little effuſion of blood (for only one officer of the Dutch army and a few private ſoldiers fell in an accidental ſkirmiſh) had dethroned a great prince, ſupported by a formidable fleet and a numerous army. Still the more difficult taſk remained, and what perhaps the prince regarded as not the leaſt important: The obtaining for himſelf that crown, which had fallen from the head of his father-in-law. Some lawyers, entangled in the ſubtleties and forms of their profeſſion, could think of no expedient; but that the prince ſhould claim the crown by right of conqueſt; ſhould immediately aſſume the title of ſovereign; and ſhould call a parliament, which, being thus legally ſummoned by a king in poſſeſſion, could ratify whatever had been tranſacted before they aſſembled. But this meaſure, being deſtructive of the principles of liberty, the only principles on which his future throne could be eſtabliſhed, was prudently rejected by the prince, who, finding himſelf poſſeſſed of the good-will of the nation, reſolved to leave them entirely to their own guidance and direction. The peers and biſhops, to

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1688. the number of near ninety, made an addreſs, deſiring him to ſummon a convention by circular letters; to aſſume, in the mean time, the management of public affairs; and to concert meaſures for the ſecurity of Ireland. At the ſame time, they refuſed reading a letter, which the king had left, in order to apologize for his late deſertion, by the violence which had been put upon him. This ſtep was a ſufficient indication of their intentions with regard to that unhappy monarch.

THE prince ſeemed ſtill unwilling to act upon an authority, which might be deemed ſo imperfect: He was deſirous of obtaining a more expreſs declaration of the public conſent. A judicious expedient was fallen on for that purpoſe. All the members, who had ſat in the houſe of commons during any parliament of Charles II. (the only parliaments whoſe election was regarded as free) were invited to meet; and to them were added the mayor, aldermen, and fifty of the common council. This was regarded as the moſt proper repreſentative of the people, that could be ſummoned during the preſent emergence. They unanimouſly voted the ſame addreſs with the lords: And the prince, being thus ſupported by all the legal authority, which could poſſibly be obtained in this critical juncture, wrote circular letters to the counties and corporations of England; and his orders were univerſally complied with. A profound tranquillity prevailed throughout the kingdom; and the prince's adminiſtration was ſubmitted to, as if he had ſucceeded in the moſt regular manner to the vacant throne. The fleet received his orders: The army, without murmur or oppoſition, allowed him to new model them: And the city ſupplied him with a loan of two hundred thouſand pounds.

Convention ſummoned.

1689. THE conduct of the prince with regard to Scotland, was founded on the ſame prudent and moderate maxims. Finding,

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1689. 7th Jan. Settlement of Scotland.

Finding, that there were many Scotchmen of rank at that time in London, he summoned them together, laid before them his intentions, and asked their advice in the present emergency. This assembly, consisting of thirty noblemen and about fourscore gentlemen, chose duke Hamilton president; a man, who, being of a temporizing character, was determined to pay court to the present authority. His eldest son, the earl of Arran, professed an adherence to king James; a usual policy in Scotland, where the father and son, during civil commotions, are often observed to take opposite sides; in order to secure at all adventures the family from attainder. Arran proposed to invite back the king upon conditions; but as he was vehemently opposed in this motion by Sir Patric Hume, and seconded by nobody, the assembly made an offer to the prince of the present administration, which he willingly accepted. To anticipate a little in our narration; a convention, by circular letters from the prince, was summoned at Edinburgh on the twenty-second of March; where it was soon visible, that the interest of the malcontents would entirely prevail. The more zealous royalists, regarding this assembly as illegal, had forborn to appear at elections; and the other party were returned for most places. The revolution was not, in Scotland as in England, effected by a coalition of whig and tory: The former party alone had overpowered the government, and were too much enraged by the past injuries, which they had suffered, to admit of any composition with their former masters. As soon as the purpose of the convention was discovered, the earl of Balcarras and viscount Dundee, leaders of the tories, withdrew from Edinburgh; and the convention having passed a bold and decisive vote, that king James, by his mal-administration, and his abuse of power, had *forfeited* all title to the

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crown, they made a tender of the royal dignity to the prince and princeſs of Orange.

1689. 22d Jan. Engliſh convention meets.

THE Engliſh convention was aſſembled; and it immediately appeared, that the houſe of commons, both from the prevailing humour of the people, and from the influence of preſent authority, were moſtly choſen from among the whig party. After thanks were unanimouſly given by both houſes to the prince of Orange for the deliverance, which he had brought them, a leſs deciſive vote, than that of the Scotch convention, was in a few days paſſed by a great majority of the commons, and ſent up to the peers for their concurrence. It was contained in theſe words. "That king James II. having endeavoured to ſubvert the conſtitution of the kingdom, by breaking the original contract between king and people; and having, by the advice of jeſuits and other wicked perſons, violated the fundamental laws, and withdrawn himſelf out of the kingdom, has abdicated the government, and that the throne is thereby vacant." This vote, when carried to the upper houſe, met with great oppoſition; of which it is here neceſſary for us to explain the cauſes.

THE Tories and the high-church party, finding themſelves at once menaced with a ſubverſion of the laws and of their religion, had zealouſly promoted the national revolt, and had on this occaſion departed from thoſe principles of non-reſiſtance, of which, while the king favoured them, they had formerly made ſuch loud profeſſions. Their preſent apprehenſions had prevailed over their political tenets; and the unfortunate James, who had too much truſted to thoſe general declarations, which never will be reduced to practice, found in the iſſue, that both parties were ſecretly united againſt him. But no ſooner was the danger paſt, and the general fears ſomewhat allayed, than party prejudices reſumed, in ſome degree,

degree, their former authority; and the Tories were abaſhed at that victory, which their antagoniſts, during the late tranſactions, had obtained over them. They were inclined, therefore, to ſteer a middle courſe; and, though generally determined to oppoſe the king's return, they reſolved not to conſent to dethroning him, or altering the line of ſucceſſion. A regent with kingly power was the expedient, which they propoſed; and a late inſtance in Portugal ſeemed to give ſome authority and precedent to that plan of government.

Views of the parties.

In favour of this ſcheme the Tories urged, that, by the uniform tenor of the Engliſh laws, the title to the crown was ever regarded as ſacred, and could, on no account, and by no mal-adminiſtration, be forfeited by the ſovereign: That to dethrone a king and to elect his ſucceſſor, was a practice quite unknown to the conſtitution, and had a tendency to render kingly power entirely dependant and precarious: That where the prince, from his tender years, from lunacy, or from other natural infirmity, was incapacitated to hold the reins of government, both the laws and former practice agreed in appointing a regent, who, during the interval, was inveſted with the whole power of the adminiſtration: That the inveterate and dangerous prejudices of king James had rendered him as unfit to ſway the Engliſh ſcepter, as if he had fallen into lunacy; and it was therefore natural for the people to have recourſe to the ſame remedy: That the election of one king was a precedent for the election of another; and the government, by that means, would either degenerate into a republic, or what was worſe, into a turbulent and ſeditious monarchy: That the caſe was ſtill more dangerous, if there remained a prince, who claimed the crown by right of ſucceſſion, and diſputed, on ſo plauſible a ground, the title of the preſent ſovereign: That though the doctrine of non-reſiſtance might not, in every poſ-

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sible circumstance, be absolutely true, yet was the belief of it very expedient; and to establish a government, which should have the contrary principle for its basis, was to lay a foundation for perpetual revolutions and convulsions: That the appointment of a regent was indeed exposed to many inconveniencies; but so long as the line of succession was preserved entire, there was still a prospect of putting an end, some time or other, to the public disorders: And that scarcely an instance occurred in history, especially in the English history, where a disputed title had not, in the issue, been attended with much greater ills, than all those, which the people had sought to shun, by departing from the lineal successor.

THE leaders of the whig party, on the other hand, asserted, that, if there were any ill in the precedent, that ill would result as much from establishing a regent, as from dethroning one king, and appointing his successor; nor would the one expedient, if wantonly and rashly embraced by the people, be less the source of public convulsions than the other: That if the laws gave no express permission to depose the sovereign, neither did they authorize resisting his authority, or separating the power from the title: That a regent was unknown, except where the king, by reason of his tender age or his infirmities, was incapable of a will; and in that case, his will was supposed to be involved in that of the regent: That it would be the height of absurdity to try a man for acting upon a commission, received from a prince, whom we ourselves acknowledge to be the lawful sovereign; and no jury would decide so contrary both to law and common sense, as to condemn such a pretended criminal: That even the prospect of being delivered from this monstrous inconvenience was, in the present situation of affairs, more distant than that of putting an end to a disputed succession: That allowing the young prince to be the legiti-

mate

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mate heir, he had been carried abroad; he would be educated in principles destructive of the constitution and established religion; and he would probably leave a son, liable to the same insuperable objection: That if the whole line were cut off by law, the people would in time forget or neglect their claim; an advantage, which could not be hoped for, while the administration was conducted in their name, and while they were still acknowledged to possess the legal title: And that a nation, thus perpetually governed by regents or protectors, approached much nearer to a republic than one subject to monarchs, whose hereditary regular succession, as well as present authority, was fixed and appointed by the people.

THIS question was agitated with great zeal by the opposite parties in the house of peers. The chief speakers among the Tories were Clarendon, Rochester, and Nottingham; among the Whigs, Halifax and Danby. The question was carried for a king by two voices only, fifty-one against forty-nine. All the prelates, except two, the bishops of London and Bristol, voted for a regent. The primate, a disinterested but pusillanimous man, kept at a distance, both from the prince's court and from parliament.

THE house of peers proceeded next to examine piecemeal the vote, sent up to them by the commons. They debated, "Whether there was an original contract be-"tween king and people?" and the affirmative was carried by fifty-three against forty-six; a proof that the Tories were already losing ground. The next question was, "Whether king James had broken that original con-"tract?" and after a slight opposition, the affirmative prevailed. The lords proceeded to take into consideration the word, *abdicated*; and it was carried that *deserted* was more proper. The concluding question was, "Whe-"ther king James having broken the original contract,

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"and *deserted* the government, the throne was thereby "vacant?" This question was debated with more heat and contention than any of the former; and upon a division, the Tories prevailed by eleven voices, and it was carried to omit the last article, with regard to the vacancy of the throne. The vote was sent back to the commons with these amendments.

THE earl of Danby had entertained the project of bestowing the crown solely upon the princess of Orange, and of admitting her as hereditary legal successor to king James: Passing by the infant prince as illegitimate or suppositious. His change of party in the last question gave the Tories so considerable a majority in the number of voices.

Free conferences betwixt the houses.

THE commons still insisted on their own vote, and sent up reasons, why the lords should depart from their amendments. The lords were not convinced; and it was necessary to have a free conference, in order to settle this controversy. Never surely was national debate more important, or managed by more able speakers; yet is one surprised to find the topics, insisted on by both sides, so frivolous; more resembling the verbal disputes of the schools than the solid reasonings of statesmen and legislators. In public transactions of such consequence, the true motives, which produce any measure, are seldom avowed. The Whigs, now the ruling party, having united with the Tories, in order to bring about the revolution, had so much deference for their new allies, as not to insist, that the crown should be declared *forfeited*, on account of the king's mal-administration: Such a declaration, they thought, would imply too express a censure of the old Tory principles, and too open a preference of their own. They agreed, therefore, to confound together the king's abusing his power and his withdrawing from the kingdom; and they called the whole an *abdication*;

tion; as if he had given a virtual, though not a verbal, consent to dethroning himself. The Tories took advantage of this obvious impropriety, which had been occasioned merely by the complaisance or prudence of the Whigs; and they insisted upon the word, *desertion*, as more significant and intelligible. It was retorted on them, that, however that expression might be justly applied to the king's withdrawing himself, it could not, with any propriety, be extended to his violation of the fundamental laws. And thus both parties, while they warped their principles from regard to their antagonists, and from prudential considerations, lost the praise of consistence and uniformity.

The managers for the lords next insisted, that, even allowing the king's abuse of power to be equivalent to an abdication, or in other words, to a civil death, it could operate no otherwise than his voluntary resignation or his natural death; and could only make way for the next successor. It was a maxim of English law, *that the throne was never vacant*; but instantly, upon the demise of one king, was filled with his legal heir, who was entitled to all the authority of his predecessor. And however young or unfit for government the successor, however unfortunate in his situation, though he were even a captive in the hands of public enemies; yet no just reason, they thought, could be assigned, why, without any default of his own, he should lose a crown, to which, by birth, he was fully intitled. The managers of the commons might have opposed this reasoning by many specious and even solid arguments. They might have said, that the great security for allegiance being merely opinion, any scheme of settlement should be adopted, in which, it was most probable, the people would acquiesce and persevere. That though upon the natural death of a king, whose administration had been agreeable to the laws, many and great

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great inconveniencies would be endured rather than exclude his lineal ſucceſſor; yet the caſe was not the ſame, when the people had been obliged, by their revolt, to dethrone a prince, whoſe illegal meaſures had, in every circumſtance, violated the conſtitution. That in theſe extraordinary revolutions, the government reverted, in ſome degree, to its firſt principles, and the community acquired a right of providing for the public intereſt by expedients, which, on other occaſions, might be deemed violent and irregular. That the recent uſe of one extraordinary remedy reconciled the people to the practice of another, and more familiarized their minds to ſuch licences than if the government had run on in its uſual tenor. And that king James, having carried abroad his ſon, as well as withdrawn himſelf, had given ſuch juſt provocation to the kingdom, had voluntarily involved it in ſuch difficulties, that the intereſts of his family were juſtly ſacrificed to the public ſettlement and tranquillity. Though theſe topics ſeem reaſonable, they were entirely forborne by the Whig managers; both becauſe they implied an acknowledgment of the infant prince's legitimacy, which it was agreed to keep in obſcurity, and becauſe they contained too expreſs a condemnation of Tory principles. They were content to maintain the vote of the commons by ſhifts and evaſions; and both ſides parted at laſt without coming to any agreement.

But it was impoſſible for the public to remain long in the preſent ſituation. The perſeverance, therefore, of the lower houſe obliged the lords to comply; and by the deſertion of ſome peers to the Whig party, the vote of the commons, without any alteration, paſſed by a majority of fifteen in the upper houſe, and received the ſanction of every part of the legiſlature, which then ſubſiſted.

It happens unluckily for thoſe, who maintain an original contract between the magiſtrate and people, that

great revolutions of government, and new settlements of civil constitutions, are commonly conducted with such violence, tumult, and disorder, that the public voice can scarcely ever be heard; and the opinions of the citizens are at that time less attended to than even in the common course of administration. The present transactions in England, it must be confessed, are a singular exception to this observation. The new elections had been carried on with great tranquillity and freedom: The prince had ordered the troops to depart from all the towns, where the voters assembled: A tumultuary petition to the two houses having been promoted, he took care, though the petition was calculated for his own advantage, effectually to suppress it: He entered into no intrigues, either with the electors or the members: He kept himself in a total silence, as if he had been no wise concerned in these transactions: And so far from forming cabals with the leaders of parties, he disdained even to bestow caresses on those, whose assistance might be useful to him. This conduct was highly meritorious, and discovered great moderation and magnanimity; even though the prince unfortunately, through the whole course of his life, and on every occasion, was noted for an address so cold, dry, and distant, that it was very difficult for him, on account of any interest, to soften or familiarize it. CHAP. LXXI. 1689.

At last, the prince deigned to break silence, and to express, though in a private manner, his sentiments on the present situation of affairs. He called together Halifax, Shrewsbury, Danby, and a few more; and he told them, that, having been invited over to restore their liberty, he had engaged in this enterprize, and had at last happily effected his purpose. That it belonged to the parliament, now chosen and assembled with freedom, to concert measures for the public settlement; and he pretended not to interpose in their determinations. That he heard

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heard of several schemes proposed for establishing the government: Some insisted on a regent; others were desirous of bestowing the crown on the princess: It was their concern alone to chuse the plan of administration most agreeable or advantageous to them. That if they judged it proper to settle a regent, he had no objection: He only thought it incumbent on him to inform them, that he was determined not to be the regent, nor even to engage in a scheme, which, he knew, would be exposed to such insuperable difficulties. That no man could have a juster or deeper sense of the princess's merit than he was impressed with; but he would rather remain a private person than enjoy a crown, which must depend on the will or life of another. And that they must therefore make account, if they were inclined to either of these two plans of settlement, that it would be totally out of his power to assist them in carrying it into execution: His affairs abroad were too important to be abandoned for so precarious a dignity, or even to allow him so much leisure as would be requisite to introduce order into their disjointed government.

THESE views of the prince were seconded by the princess herself, who, as she possessed many virtues, was a most obsequious wife to a husband, who, in the judgment of the generality of her sex, would have appeared so little attractive and amiable. All considerations were neglected, when they came in competition with what she deemed her duty to the prince. When Danby and others of her partizans wrote her an account of their schemes and proceedings, she expressed great displeasure; and even transmitted their letters to her husband, as a sacrifice to conjugal fidelity. The princess Anne also concurred in the same plan for the public settlement; and being promised an ample revenue, was content to be postponed in the succession to the crown. And as the title of her infant brother

ther was, in the preſent eſtabliſhment, entirely neglected, ſhe might, on the whole, deem herſelf, in point of intereſt, a gainer by this revolution. CHAP. LXXI. 1689.

THE chief parties, therefore, being agreed, the convention paſſed a bill, in which they ſettled the crown on the prince and princeſs of Orange, the ſole adminiſtration to remain in the prince: The princeſs of Denmark to ſucceed after the death of the prince and princeſs of Orange; her poſterity after thoſe of the princeſs, but before thoſe of the prince by any other wife. The convention annexed to this ſettlement of the crown a declaration of rights, where all the points, which had, of late years, been diſputed between king and people, were finally determined; and the powers of royal prerogative were more narrowly circumſcribed and more exactly defined, than in any former period of the Engliſh government. Settlement of the crown.

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THUS have we ſeen, through the whole courſe of four reigns, a continued ſtruggle maintained between the crown and the people: Privilege and prerogative were ever at variance: And both parties, beſide the preſent object of diſpute, had many latent claims, which, on a favourable occaſion, they produced againſt their adverſaries. Governments too ſteady and uniform, as they are ſeldom free, ſo are they, in the judgment of ſome, attended with another ſenſible inconvenience: They abate the active powers of men; depreſs courage, invention, and genius; and produce an univerſal lethargy in the people. Though this opinion may be juſt, the fluctuation and conteſt, it muſt be allowed, of the Engliſh government were, during theſe reigns, much too violent Manners, arts, and ſciences.

both

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both for the repoſe and ſafety of the people. Foreign affairs, at that time, were either entirely neglected, or managed to pernicious purpoſes: And in the domeſtic adminiſtration there was felt a continued fever, either ſecret or manifeſt; ſometimes the moſt furious convulſions and diſorders. The revolution forms a new epoch in the conſtitution; and was probably attended with conſequences more advantageous to the people, than barely freeing them from an exceptionable adminiſtration. By deciding many important queſtions in favour of liberty, and ſtill more, by that great precedent of depoſing one king, and eſtabliſhing a new family, it gave ſuch an aſcendant to popular principles, as has put the nature of the Engliſh conſtitution beyond all controverſy. And it may juſtly be affirmed, without any danger of exaggeration, that we, in this iſland, have ever ſince enjoyed, if not the beſt ſyſtem of government, at leaſt the moſt entire ſyſtem of liberty, that ever was known amongſt mankind.

To decry with ſuch violence, as is affected by ſome, the whole line of Stuart; to maintain, that their adminiſtration was one continued encroachment on the *inconteſtible* rights of the people; is not giving due honour to that great event, which not only put a period to their hereditary ſucceſſion, but made a new ſettlement of the whole conſtitution. The inconveniencies, ſuffered by the people under the two firſt reigns of that family (for in the main they were fortunate) proceeded in a great meaſure from the unavoidable ſituation of affairs; and ſcarcely any thing could have prevented thoſe events, but ſuch vigour of genius in the ſovereign, attended with ſuch good fortune, as might have enabled him entirely to overpower the liberties of his people. While the parliaments, in theſe reigns, were taking advantage of the neceſſities of the prince, and attempting every ſeſſion to aboliſh, or circumſcribe, or define, ſome prerogative of the

the crown, and innovate in the usual tenor of govern- CHAP. LXXI.
ment: What could be expected, but that the prince 1689.
would exert himself, in defending, against such inveterate enemies, an authority, which, during the most regular course of the former English government, had been exercised without dispute or controversy? And though Charles II. in 1672, may with reason be deemed the aggressor, nor is it possible to justify his conduct; yet were there some motives surely, which could engage a prince, so soft and indolent, and at the same time, so judicious, to attempt such hazardous enterprizes. He felt, that public affairs had reached a situation, at which they could not possibly remain, without some farther innovation. Frequent parliaments were become almost entirely necessary to the conducting of public business; yet these assemblies were still, in the judgment of the royalists, much inferior in dignity to the sovereign, whom they seemed better calculated to counsel than controul. The crown still possessed considerable power of opposing parliaments; and had not as yet acquired the means of influencing them. Hence a continual jealousy between these parts of the legislature: Hence the inclination mutually to take advantage of each other's necessities: Hence the impossibility, under which the king lay, of finding ministers, who could at once be serviceable and faithful to him. If he followed his own choice in appointing his servants, without regard to their parliamentary interest, a refractory session was instantly to be expected: If he chose them from among the leaders of popular assemblies, they either lost their influence with the people, by adhering to the crown, or they betrayed the crown, in order to preserve their influence. Neither Hambden, whom Charles I. was willing to gain at any price; nor Shaftesbury, whom Charles II. after the popish plot, attempted to engage in his counsels, would renounce

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renounce their popularity for the precarious, and, as they eſteemed it, deceitful favour of the prince. The root of their authority they ſtill thought to lie in the parliament; and as the power of that aſſembly was not yet uncontroulable, they ſtill reſolved to augment it, though at the expence of the royal prerogatives.

It is no wonder, that theſe events have long, by the repreſentations of faction, been extremely clouded and obſcured. No man has yet ariſen, who has payed an entire regard to truth, and has dared to expoſe her, without covering or diſguiſe, to the eyes of the prejudiced public. Even that party amongſt us, which boaſts of the higheſt regard to liberty, has not poſſeſſed ſufficient liberty of thought in this particular; nor has been able to decide impartially of their own merit, compared with that of their antagoniſts. More noble perhaps in their ends, and highly beneficial to mankind; they muſt alſo be allowed to have been often leſs juſtifiable in the means, and in many of their enterprizes to have payed more regard to political than to moral conſiderations. Obliged to court the favour of the populace, they found it neceſſary to comply with their rage and folly; and have even, on many occaſions, by propagating fictions, and by promoting violence, ſerved to infatuate, as well as corrupt that people, to whom they made a tender of liberty and juſtice. Charles I. was a tyrant, a papiſt, and a contriver of the Iriſh maſſacre: The church of England was relapſing faſt into idolatry: Puritaniſm was the only true religion, and the covenant the favourite object of heavenly regard. Through theſe deluſions the party proceeded, and, what may ſeem wonderful, ſtill to the encreaſe of law and liberty; 'till they reached the impoſture of the popiſh plot, a fiction which exceeds the ordinary bounds of vulgar credulity. But however ſingular theſe events may appear, there is really nothing altogether

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ther new in any period of modern history: And it is remarkable, that tribunitian arts, though sometimes useful in a free constitution, have usually been such as men of probity and honour could not bring themselves either to practice or approve. The other faction, which, since the revolution, has been obliged to cultivate popularity, sometimes found it necessary to employ like artifices.

THE Whig party, for a course of near seventy years, has, almost without interruption, enjoyed the whole authority of the government; and no honours or offices could be obtained but by their countenance and protection. But this event, which, in some particulars, has been advantageous to the state, has proved destructive to the truth of history, and has established many gross falsehoods, which it is unaccountable how any civilized nation could have embraced with regard to its domestic occurrences. Compositions the most despicable, both for style and matter, have been extolled, and propagated, and read; as if they had equalled the most celebrated remains of antiquity[y]. And forgetting that a regard to liberty, though a laudable passion, ought commonly to be subordinate to a reverence for established government, the prevailing faction has celebrated only the partizans of the former, who pursued as their object the perfection of civil society, and has extolled them at the expence of their antagonists, who maintained those maxims, that are essential to its very existence. But extremes of all kinds are to be avoided; and though no one will ever please either faction by moderate opinions, it is there we are most likely to meet with truth and certainty.

WE shall subjoin to this general view of the English government, some account of the state of the finances, arms, trade, manners, arts, between the restoration and revolution.

[y] Such as Rapin Thoyras, &c.

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THE revenue of Charles II. as ſettled by the long parliament, was put upon a very bad footing. It was too ſmall, if they intended to make him independant in the common courſe of his adminiſtration: It was too large, and ſettled during too long a period, if they reſolved to keep him in entire dependance. The large debts of the republic, which were thrown upon that prince; the neceſſity of ſupplying the naval and military ſtores, which were entirely exhauſted [z]; that of repairing and furniſhing his palaces: All theſe cauſes involved the king in great difficulties immediately after his reſtoration; and the parliament was not ſufficiently liberal in ſupplying him. Perhaps too he had contracted ſome debts abroad; and his bounty to the diſtreſſed cavaliers, though it did not correſpond either to their ſervices or expectations, could not fail, in ſome degree, to exhauſt his treaſury. The extraordinary ſums, granted the king during the firſt years, did not ſuffice for theſe extraordinary charges; and the exciſe and cuſtoms, the only conſtant revenue, amounted not to nine hundred thouſand pounds a year, and fell much ſhort of the ordinary burthens of government. The addition of hearth-money in 1662, and of the other two branches in 1669 and 1670, brought up the revenue to one million three hundred fifty-eight thouſand pounds, as we learn from lord Danby's account: But the ſame authority informs us, that the yearly expence of government was at that time one million three hundred eighty-ſeven thouſand ſeven hundred and ſeventy pounds [a]; without mentioning contingencies, which are always conſiderable, even under the moſt prudent ad-

[z] Lord Clarendon's ſpeech to the parliament, Oct. 9, 1665.

[a] Ralph's Hiſtory, vol. i. p. 288. We learn from that lord's Memoirs, p. 12. that the receipts of the Exchequer, during ſix years, from 1673 to 1679, were about eight millions two hundred thouſand pounds, or one million three hundred ſixty-ſix thouſand pounds a year. See likewiſe, p. 169.

miniſtration,

miniſtration. Thoſe branches of revenue, granted in 1669 and 1670, expired in 1680, and were never renewed by parliament: They were computed to be above two hundred thouſand pounds a year. It muſt be allowed, becauſe aſſerted by all cotemporary authors of both parties, and even confeſſed by himſelf, that king Charles was ſomewhat profuſe and negligent. But it is likewiſe certain, that a very rigid frugality was requiſite to ſupport the government under ſuch difficulties. There is a familiar rule in all buſineſs, that every man ſhould be payed, in proportion to the truſt repoſed in him, and to the power, which he enjoys; and the nation ſoon found reaſon, from Charles's dangerous connexions with France, to repent their departure from that prudential maxim. CHAP. LXXI. 1689.

If we eſtimate the ordinary revenue of Charles II. at one million two hundred thouſand pounds a year during his whole reign, the computation will rather exceed than fall below the true value. The convention parliament, after all the ſums, which they had granted the king towards the payment of old debts, threw, the laſt day of their meeting, a debt upon him, amounting to one million ſeven hundred forty-three thouſand two hundred ſixty-three pounds [b]. All the extraordinary ſums, which were afterwards voted him by parliament, amounted to eleven millions four hundred forty-three thouſand four hundred and ſeven pounds; which divided by twenty-four, the number of years which that king reigned, make four hundred ſeventy-ſix thouſand eight hundred and eight pounds a year. During that time, he had two violent wars to ſuſtain with the Dutch; and in 1678, he made expenſive preparations for a war with France. In the firſt Dutch war, both France and Denmark were allies to the United Provinces, and the naval armaments

[b] Journals, 29th of December, 1660.

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in England were very great; so that it is impossible he could have secreted any part, at least any considerable part, of the sums, which were then voted him by parliament.

To these sums we must add about one million two hundred thousand pounds, which had been detained from the bankers on shutting up the Exchequer in 1672. The king payed six per cent. for this money during the rest of his reign [c]. It is remarkable, that, notwithstanding this violent breach of faith, the king, two years after, borrowed money at eight per cent; the same rate of interest which he had payed before that event [d]. A proof, that public credit, instead of being of so delicate a nature, as we are apt to imagine, is, in reality, so hardy and robust, that it is very difficult to destroy it.

The revenue of James was raised by the parliament to about one million eight hundred and fifty thousand pounds [e]; and his income as duke of York, being added, made the whole amount to two millions a year; a sum well proportioned to the public necessities, but enjoyed by him in too independant a manner. The national debt at the revolution amounted to one million fifty-four thousand nine hundred twenty-five pounds [f].

The militia fell much to decay during these two reigns, partly by the policy of the kings, who had entertained a diffidence of their subjects, partly by that ill-judged law, which limited the king's power of mustering and arraying them. In the beginning, however, of Charles's reign, the militia was still deemed formidable. De Wit having proposed to the French king an invasion of England during the first Dutch war, that monarch replied, that such an attempt would be entirely fruitless, and

[c] Danby's Memoirs, p. 7. [d] Id. p. 65. [e] Journ. 1st of March, 1689. [f] Journ. 30th of March, 1689.

would

would tend only to unite the Engliſh. In a few days, ſaid he, after our landing, there will be fifty thouſand men at leaſt upon us [g]. CHAP. LXXI. 1689.

CHARLES in the beginning of his reign had in pay near five thouſand men, of guards and garriſons. At the end of his reign, he augmented this number to near eight thouſand. James on Monmouth's rebellion had on foot about fifteen thouſand men; and when the prince of Orange invaded him, there were no fewer than thirty thouſand regular troops in England.

THE Engliſh navy, during the greateſt part of Charles's reign, made a conſiderable figure, for number of ſhips, valour of the men, and conduct of the commanders. Even in 1678, the fleet conſiſted of eighty-three ſhips [h]; beſides thirty, which were at that time on the ſtocks. On the king's reſtoration he found only ſixty-three veſſels of all ſizes [i]. During the later part of Charles's reign, the navy fell ſomewhat to decay, by reaſon of the narrowneſs of the king's revenue: But James, ſoon after his acceſſion, reſtored it to its former power and glory; and before he left the throne, carried it much farther. The adminiſtration of the admiralty under Pepys, is ſtill regarded as a model for order and œconomy. The fleet at the revolution conſiſted of one hundred ſeventy-three veſſels of all ſizes; and required forty-two thouſand ſeamen to man it [k]. That king, when duke of York, had been the firſt inventor of ſea-ſignals. The military genius, during theſe two reigns, had not totally decayed among the young nobility. Dorſet, Mulgrave, Rocheſter, not to mention Oſſory, ſerved on board the fleet, and were preſent in the moſt furious engagements againſt the Dutch.

g D'Eſtrades, 20th of October, 1665.
h Pepy's Memoirs, p. 4.
i Memoirs of Engliſh affairs, chiefly naval, vol. ii. p. 476.
k Lives of the admirals,

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THE commerce and riches of England did never, during any period, encreaſe ſo faſt as from the reſtoration to the revolution. The two Dutch wars, by diſturbing the trade of that republic, promoted the navigation of this iſland; and after Charles had made a ſeparate peace with the States, his ſubjects enjoyed unmoleſted the trade of Europe. The only diſturbance, which they met with, was from a few French privateers, who infeſted the channel; and Charles interpoſed not in behalf of his ſubjects with ſufficient ſpirit and vigour. The recovery or conqueſt of New York and the Jerſeys was a conſiderable acceſſion to the ſtrength and ſecurity of the Engliſh colonies; and, together with the ſettlement of Penſilvania and Carolina, which was effected during that reign, extended the Engliſh empire in America. The perſecutions of the diſſenters, or more properly ſpeaking, the reſtraints impoſed upon them, contributed to augment and people theſe colonies. Dr. Davenant affirms [1], that the ſhipping of England more than doubled during theſe twenty-eight years. Several new manufactures were eſtabliſhed; in iron, braſs, ſilk, hats, glaſs, paper, &c. One Brewer, leaving the Low Countries, when they were threatened with a French conqueſt, brought the art of dying woollen cloth into England, and by that improvement ſaved the nation great ſums of money. The encreaſe of coinage during theſe two reigns was ten millions two hundred ſixty-one thouſand pounds. A board of trade was erected in 1670; and the earl of Sandwich was made preſident. Charles revived and ſupported the charter of the Eaſt-India company; a meaſure whoſe utility is by ſome thought doubtful: He granted a charter to the Hudſon's Bay company; a meaſure probably hurtful.

[1] Diſcourſe on the public revenues, part ii. p. 29, 33, 36.

We

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WE learn from Sir Josiah Child[m], that in 1688 there were on the Change more men worth 10,000 pounds than there were in 1650 worth a thousand; that 500 pounds with a daughter was, in the latter period, deemed a larger portion than 2000 in the former; that gentlewomen, in those earlier times, thought themselves well cloathed in a serge gown, which a chambermaid would in 1688, be ashamed to be seen in; and that, besides the great encrease of rich cloaths, plate, jewels, and houshold furniture, coaches were in that time augmented a hundred fold.

THE duke of Buckingham introduced from Venice the manufacture of glass and christal into England. Prince Rupert was also an encourager of useful arts and manufactures: He himself was the inventor of etching.

THE first law for erecting turnpikes was passed in 1662: The places of the turnpikes were Wadesmill, Caxton, and Stilton: But the general and great improvement of highways took not place till the reign of George II.

IN 1663, was passed the first law for allowing the exportation of foreign coin and of bullion.

IN 1667 was concluded the first American treaty between England and Spain: This treaty was made more general and complete in 1670. The two states then renounced all right of trading with each others colonies; and the title of England was acknowledged to all the territories in America, of which she was then possessed.

THE French king, about the beginning of Charles's reign, laid some impositions on English commodities: And the English, partly displeased with this innovation, partly moved by their animosity against France, retali-

[m] Brief observations, &c.

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ated, by laying ſuch reſtraints on the commerce with that kingdom as amounted almoſt to a prohibition. They formed calculations, by which they perſuaded themſelves, that they were loſers a million and a half or near two millions a year by the French trade. But no good effects were found to reſult from theſe reſtraints; and in king James's reign they were taken off by parliament.

LORD CLARENDON tells us, that, in 1665, when money, in conſequence of a treaty, was to be remitted to the biſhop of Munſter, it was found, that the whole trade of England could not ſupply above 1000 pounds a month to Frankfort and Cologne, nor above 20,000 pounds a month to Hamburgh: Theſe ſums appear ſurprizingly ſmall [n].

AT the ſame time that the boroughs of England were deprived of their privileges, the like attempt was made on the colonies. King James recalled the charters, by which their liberties were ſecured; and he ſent over governors inveſted with abſolute power. The arbitrary principles of that monarch appear in every part of his adminiſtration.

THE people, during theſe two reigns, were, in a great meaſure, cured of that wild fanaticiſm, by which they had formerly been ſo much agitated. Whatever new vices they might acquire, it may be queſtioned, whether, by this change, they were, in the main, much loſers in point of morals. By the example of the king and the cavaliers, licentiouſneſs and debauchery became prevalent in the nation. The pleaſures of the table were much purſued. Love was treated more as an appetite than a paſſion. The one ſex began to abate of the national

[n] Life of Clarendon, p. 237.

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character of chaſtity, without being able to inſpire the other with ſentiment or delicacy. CHAP. LXXI. 1689.

THE abuſes in the former age, ariſing from overſtrained pretenſions of piety, had much propagated the ſpirit of irreligion; and many of the ingenious men of this period lie under the imputation of deiſm. Beſides wits and ſcholars by profeſſion, Shafteſbury, Halifax, Buckingham, Mulgrave, Sunderland, Eſſex, Rocheſter, Sidney, Temple are ſuppoſed to have adopted theſe principles.

THE ſame factions, which formerly diſtracted the nation, were revived, and exerted themſelves in the moſt ungenerous and unmanly enterprizes againſt each other. King Charles, being in his whole deportment a model of eaſy and gentleman-like behaviour, improved the politeneſs of the nation; as much as faction, which of all things is moſt deſtructive to that virtue, could poſſibly permit. His courtiers were long diſtinguiſhable in England by their obliging and agreeable manners.

TILL the revolution, the liberty of the preſs was very imperfectly enjoyed in England, and during a very ſhort period. The ſtar-chamber, while that court ſubſiſted, put effectual reſtraints upon printing. On the ſuppreſſion of that tribunal in 1641, the long parliament, after their rupture with the king, aſſumed the ſame power with regard to the licencing of books; and this authority was continued during all the period of the protectorſhip and republic [o]. Two years after the reſtoration, an act was paſſed, reviving the republican ordinances. This act expired in 1679; but was revived by ſtatute in the firſt of king James. The liberty of the preſs did not even commence with the revolution. It was not till 1694,

[o] Scobell, i. 44, 134. ii. 88, 230.

that

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that the reſtraints were taken off; to the great diſpleaſure of the king, and his miniſters, who, ſeeing no where, in any government, during preſent or paſt ages, any example of ſuch unlimited freedom, doubted much of its ſalutary effects, and probably thought, that no books or writings would ever ſo much improve the general underſtanding of men, as to render it ſafe to entruſt them with an indulgence ſo eaſily abuſed.

In 1677, the old law for burning heretics was repealed; a prudent meaſure, while the nation was in continual dread of the return of popery.

Amidst the thick cloud of bigotry and ignorance, which overſpread the nation, during the commonwealth and protectorſhip, there were a few ſedate philoſophers, who, in the retirement of Oxford, cultivated their reaſon, and eſtabliſhed conferences for the mutual communication of their diſcoveries in phyſics and geometry. Wilkins, a clergyman, who had married Cromwel's ſiſter, and was afterwards biſhop of Cheſter, promoted theſe philoſophical converſations. Immediately after the reſtoration, theſe men procured a patent, and having enlarged their number, were denominated the *Royal Society*. But this patent was all they obtained from the king. Though Charles was a lover of the ſciences, particularly chymiſtry and mechanics; he animated them by his example alone, not by his bounty. His craving courtiers and miſtreſſes, by whom he was perpetually ſurrounded, engroſſed all his expence, and left him neither money nor attention for literary merit. His contemporary, Lewis, who fell ſhort of the king's genius and knowledge in this particular, much exceeded him in liberality. Beſides penſions conferred on learned men throughout all Europe, his academies were directed by rules and ſupported by ſalaries:

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A generosity, which does great honour to his memory; and in the eyes of all the ingenuous part of mankind, will be esteemed an atonement for many of the errors of his reign. We may be surprized, that this example should not be more followed by princes; since it is certain, that that bounty, so extensive, so beneficial, and so much celebrated, cost not this monarch so great a sum as is often conferred on one single, useless, overgrown favourite or courtier. CHAP. LXXI. 1689.

But though the French academy of sciences was directed, encouraged, and supported by the sovereign, there arose in England some men of superior genius, who were more than sufficient to cast the balance, and who drew on themselves and on their native country the regard and attention of Europe. Besides Wilkins, Wren, Wallis, eminent mathematicians, Hooke, an accurate observer by microscopes, and Sydenham, the restorer of true physic; there flourished during this period a Boyle and a Newton; men who trod, with cautious, and therefore the more secure steps, the only road, which leads to true philosophy.

Boyle improved the pneumatic engine invented by Otto Guericke, and was thereby enabled to make several new and curious experiments on the air as well as on other bodies: His chymistry is much admired by those acquainted with that art: His hydrostatics contain a greater mixture of reasoning and invention with experiment than any other of his works; but his reasoning is still remote from that boldness and temerity, which had led astray so many philosophers. Boyle was a great partizan of the mechanical philosophy; a theory, which, by discovering some of the secrets of nature, and allowing us to imagine the rest, is so agreeable to the natural vanity and curiosity of men.

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In Newton this island may boast of having produced the greatest and rarest genius that ever arose for the ornament and instruction of the species. Cautious, in admitting no principles but such as were founded on experiment; but resolute to adopt every such principle, however new or unusual: From modesty, ignorant of his superiority above the rest of mankind; and thence, less careful to accommodate his reasonings to common apprehensions: More anxious to merit than acquire fame: He was from these causes long unknown to the world; but his reputation at last broke out with a lustre, which scarcely any writer, during his own life-time, had ever before attained. While Newton seemed to draw off the veil from some of the mysteries of nature, he shewed at the same time the imperfections of the mechanical philosophy; and thereby restored her ultimate secrets to that obscurity, in which they ever did and ever will remain.

This age was far from being so favourable to polite literature as to the sciences. Charles, though fond of wit, though possessed himself of a considerable share of it, though his taste in conversation seems to have been sound and just; served rather to corrupt than improve the poetry and eloquence of his time. When the theatres were opened at the restoration, and freedom was again given to pleasantry and ingenuity; men, after so long an abstinence, fed on these delicacies with less taste than avidity, and the coarsest and most irregular species of wit was received by the court as well as by the people. The productions, represented at that time on the stage, were such monsters of extravagance and folly; so utterly destitute of all reason or even common sense; that they would be the disgrace of English literature, had not the nation made atonement for its former admiration of them, by the total oblivion to which they are now condemned.

The

The duke of Buckingham's Rehearſal, which expoſed theſe wild productions, ſeems to be a piece of ridicule carried to exceſs; yet in reality the copy ſcarcely equals ſome of the abſurdities, which we meet with in the originals.

THIS ſevere ſatyre, together with the good ſenſe of the nation, corrected, after ſome time, the extravagancies of the faſhionable wit; but the productions of literature ſtill wanted much of that correctneſs and delicacy, which we ſo much admire in the ancients, and in the French writers, their judicious imitators. It was indeed during this period chiefly, that that nation left the Engliſh behind them in the productions of poetry, eloquence, hiſtory, and other branches of polite letters; and acquired a ſuperiority, which the efforts of Engliſh writers, during the ſubſequent age, did more ſucceſsfully conteſt with them. The arts and ſciences were imported from Italy into this iſland as early as into France; and made at firſt more ſenſible advances. Spencer, Shakeſpear, Bacon, Johnſon, were ſuperior to their cotemporaries, who flouriſhed in that kingdom. Milton, Waller, Denham, Cowley, Harvey were at leaſt equal to their cotemporaries. The reign of Charles II. which ſome prepoſterouſly repreſent as our Auguſtan age, retarded the progreſs of polite literature in this iſland; and it was then found, that the immeaſurable licentiouſneſs, indulged or rather applauded at court, was more deſtructive to the refined arts, than even the cant, nonſenſe, and enthuſiaſm of the preceding period.

MOST of the celebrated writers of this age remain monuments of genius, perverted by indecency and bad taſte; and none more than Dryden, both by reaſon of the greatneſs of his talents and the groſs abuſe which he made of them. His plays, excepting a few ſcenes, are utterly dis-

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disfigured by vice or folly or both. His tranſlations appear too much the offſpring of haſte and hunger: Even his fables are ill choſen tales, conveyed in an incorrect, though ſpirited verſification. Yet amidſt this great number of looſe productions, the refuſe of our language, there are found ſome ſmall pieces, his Ode to St. Cecilia, the greateſt part of Abſalom and Achitophel, and a few more, which diſcover ſo great genius, ſuch richneſs of expreſſion, ſuch pomp and variety of numbers, that they leave us equally full of regret and indignation, on account of the inferiority or rather great abſurdity of his other writings.

THE very name of Rocheſter is offenſive to modeſt ears; yet does his poetry diſcover ſuch energy of ſtyle and ſuch poignancy of ſatyre, as give ground to imagine what ſo fine a genius, had he fallen in a more happy age and had followed better models, was capable of producing. The ancient ſatyriſts often uſed great liberty in their expreſſions; but their freedom no more reſembles the licentiouſneſs of Rocheſter, than the nakedneſs of an Indian does that of a common proſtitute.

WYCHERLEY was ambitious of the reputation of wit and libertiniſm; and he attained it: He was probably capable of reaching the fame of true comedy, and inſtructive ridicule. Otway had a genius finely turned to the pathetic; but he neither obſerves ſtrictly the rules of the drama, nor the rules, ſtill more eſſential, of propriety and decorum. By one ſingle piece the duke of Buckingham did both great ſervice to his age and honour to himſelf. The earls of Mulgrave, Dorſet, and Roſcommon wrote in a good taſte; but their productions are either feeble or careleſs. The marqueſs of Halifax diſcovers a refined genius; and nothing but leizure and an inferior ſtation ſeems wanting to have procured him eminence in literature.

Of

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Of all the conſiderable writers of this age, Sir William Temple is almoſt the only one, that kept himſelf altogether unpolluted by that inundation of vice and licentiouſneſs, which overwhelmed the nation. The ſtyle of this author, though extremely negligent, and even infected with foreign idioms, is agreeable and intereſting. That mixture of vanity, which appears in his works, is rather a recommendation to them. By means of it, we enter into acquaintance with the character of the author, full of honour and humanity; and fancy that we are engaged, not in the peruſal of a book, but in converſation with a companion.

Though Hudibras was publiſhed, and probably compoſed, during the reign of Charles II. Butler may juſtly, as well as Milton, be thought to belong to the foregoing period. No compoſition abounds ſo much as Hudibras in ſtrokes of juſt and inimitable wit; yet are there many performances, which give as great or greater entertainment on the whole peruſal. The alluſions in Butler are often dark and far-fetched; and though ſcarcely any author was ever able to expreſs his thoughts in ſo few words, he often employs too many thoughts on one ſubject, and thereby becomes prolix after an unuſual manner. It is ſurprizing how much erudition Butler has introduced with ſo good a grace into a work of pleaſantry and humour: Hudibras is perhaps one of the moſt learned compoſitions, that is to be found in any language. The advantage, which the royal cauſe received from this poem, in expoſing the fanaticiſm and falſe pretences of the former parliamentary party, was prodigious. The king himſelf had ſo good a taſte as to be highly pleaſed with the merit of the work, and had even got a great part of it by heart: Yet was he either ſo careleſs in his temper, or ſo little endowed with the virtue of liberality,

or

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or more properly ſpeaking, of gratitude, that he allowed the author, a man of virtue and probity, to live in obſcurity, and die in want. Dryden is an inſtance of a negligence of the ſame kind. His Abſalom ſenſibly contributed to the victory, which the tories obtained over the whigs after the excluſion parliaments: Yet could not this merit, aided by his great genius, procure him an eſtabliſhment, which might exempt him from the neceſſity of writing for bread. Otway, though a profeſſed royaliſt, could not even procure bread by his writings; and he had the ſingular fate of dying literally of hunger. Theſe incidents throw a great ſtain on the memory of Charles, who had diſcernment, loved genius, was liberal of money, but attained not the praiſe of true generoſity.

A NOTE to be added to Vol. VIII. p. 43, l. 5. after theſe words, *were ſuſpected of carrying on ſome intrigues.*

SIR John Dalrymple, in his Appendix, has given us, from Barillon's Diſpatches in the ſecretary's office at Paris, a more particular and curious detail of theſe intrigues. They were carried on by lord Ruſſel, lord Hollis, lord Berkſhire, the duke of Buckingham, Algernon Sidney, Montague, Bulſtrode, colonel Titus, Sir Edward Harley, Sir John Baber, Sir Roger Hill, Boſcawen, Lyttleton, Powle, Harbord, Hambden, Sir Thomas Armſtrong, Hotham, Herbert, with ſome others of leſs note. Of theſe, lord Ruſſel and lord Hollis alone refuſed to touch any French money: All the others received preſents or bribes from Barillon. But we are to remark, that the party views of theſe men, and their well-founded jealouſies of the king and duke, independently of the money, engaged them into the ſame meaſures, that were ſuggeſted to them by the French ambaſſador. The intrigues of France, therefore, with the parliament, were a mighty ſmall engine in the political machine: Thoſe with the king, which have always been known, were of infinitely greater conſequence. The ſums, diſtributed among all theſe men, excepting Montague for his treachery to the king and Danby, did not exceed 16,000 pounds in three years, and therefore could have little weight in the two houſes. Accordingly we find, in all Barillon's diſpatches, a great anxiety that the parliament ſhould never be aſſembled. The conduct of theſe Engliſh patriots was more mean than criminal: And Barillon ſays, that two hundred thouſand livres, employed by the Spaniards and Germans, would have more influence than two millions employed by France.

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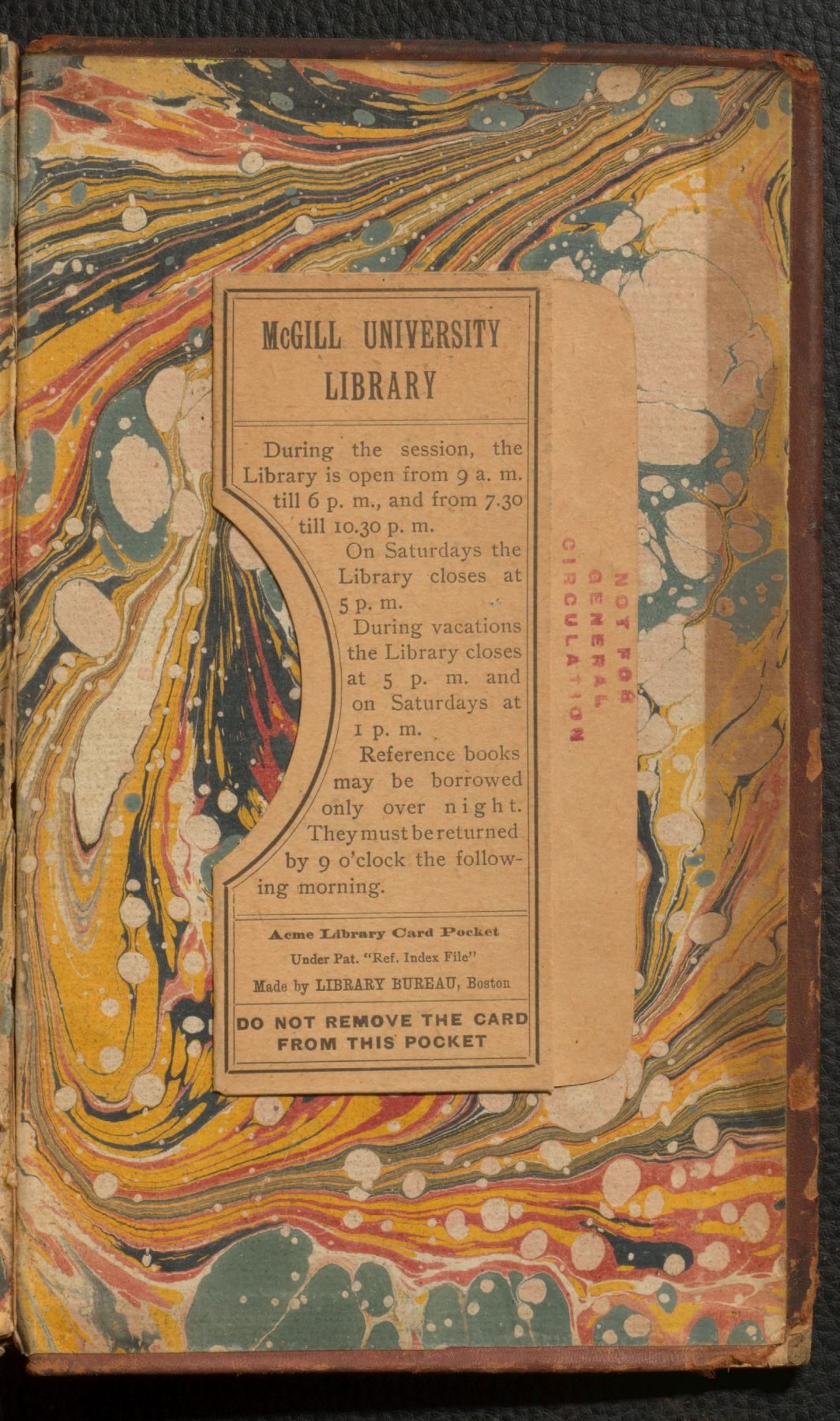
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